IMT Nuremberg Archives

H – 1108

International Court of Justice

G

✓ 392-PS ✓ The Social life in New Germany with special consideration of the German Labor Front, Pages 51-54

✓ 404-PS ✓ "MEIN KAMPF", Page 675, by Adolf Hitler

✓ 405-PS ✓ Law concerning Trustees of Labor of 19 May 1933 (Treuhänder der Arbeit) 1-2

✓ 614-PS ✓ Pages 151-3 of "Die nazionalsozialistische Revolution 1933" compiled by DrL Axel Friedlrichs (Berlin 1935), which is volume I of the documentary collection entitled "Dokumente der Deutschen Politik" published by the Director of the Hochschule fuer Politik 1-2

✓ 1389-PS ✓ Law creating Reich Labor Service of 6 June 1935 (Reichsarbeitdienstgesetz) 1-5

✓ 1678-PS ✓ Statement of accounts of the Reichsorganisationsleiter (Reich Organisation Leader) of the NSDAP, Dr, Ley, on the 5th yearly session of the German Labor Front in Nuernberg, on Sept.11th,1937 ("Dokumente der Deutsc hen Politik"), Volume 5, pages 372/376)

✓ 1770-PS ✓ Law concerning Factory Representatives Councils and Economic Organisations of 4 April 1933 (Gesetz ueber Betriebsvertretungen und wirtschaftliche Vereinigungen) 1-2

✓ 1814-PA ✓ The Organisation of the NSDAP and its affiliated associations, pages 86-88 of the Organisation-Book of the NSDAP, Editi ons of 1936, 1938 and 1940. Editor, the Reich Organisation Leader of the NSDAP, Dr. Robert Ley. Published by the Central Publishing House of the NSDAP, Franz Eher, Munich. 1-3

✓ 1817-PS ✓ Bureau for Factory-Troops (Amt Werkscharen). Excerpt from page 211, Prganisation-Book of the NSDAP, 1936 Edition.

✓ 1818-PS ✓ Bureau for Factory-Troops (Werkschar) and Training. Excerpt from Pages 195-196 Organisation-Book of the NSDAP, 1940 Edition. Editor, the Reich-Organisation Leader of the NSDAP, Dr. Robert Ley 1-2

✓ 1861-PS ✓ Law regulating national labor (Ordnung der Nationalen Arbeit) of January 1934 1-3

✓ 1913-PS ✓ Agreement beyween the Plenipotentiary General for the Arbeitseinsatz and the German Labor-Front concerning the care of the non-German workers.20.9.1943 1-3

✓ 1939-PS ✓ A Proclamation to Workers" addressed to Employers and Employees by Dr.Robert Ley on September 5th,1939. Quoted from the chapter "The German Worker has recognised..." (Der deutsche Arbeiter hat erkannt...")pp.14-17 1-3

✓ 1940-PS ✓ The German Leaders of Labor; "Voelkischer Beobachter", So-German Edition, issue 136 of May 11,1933.

✓ 2005-PS ✓ Second Law integrating the Länder with the Reich (Zweites Gesetz zur Gleichschaltung der Laender mit dem Reich), 7 April 1933 1-2

✓ 2050-PS ✓ The Constitution of the German Reich, August 11th, 1919 1-31

✓ 2224-PS ✓ The End of the Marxist Class Struggle. Pages 1 & 2, issue 381, May 2,1933 of "NSK" or Nazional-Sozialistische Partei-Korrespondenz (National-Socialist Party Press Agency) 1-3

✓ 2225-PS ✓ "The Front of German Workers has been erected", Page 1, Issue of 382, 3 May 1933 of "NSK" or Nazional-Sozialistische Partei-Korrespondenz (Nazi Party Press Agency)

✓ 2226-PS ✓ "The Labor Front stands , from Page 2, Issue 363, 8 May 1933 of "NSK (Nazi-Party Press Agency), also termed "NSK Presse-Dienst der NSDAP". Edited by Wilhelm Weiss.

✓ 2228-PS ✓ Order issued by the German Labor Front. (From Page 5, Issue 426, 26 June 1933 of "NSK" (Nazi Party Press Agency, also termed "NSK, Pressedienst der NSDAP (Press-Service of the NSDAP).

✓ 2230-PS ✓ Agreement entered into between the Reich Leader of the German Labor Front, Dr. Ley and the Chief of Staff of the Storm-troops (SA), Viktor Lutze, regarding the Factory-troops. (The Organisation of the NSDAP and its affiliated associations, pages 484, 485b and 486c) 1-2

✓ 2270-PS Coordination (Gleichschaltung) of Cooperatives. 1933 Nazionalsozialistische Partei-Korrespondenz, pages 1 and 2. Issue 393,16 May 1933 of "NSK"

G

2271-PS The N,S,B,O, (Die Nazional-Sozialistische Betriebszellen-Organisation) The National-Socialist Factory Cells Organisation. Pages 185/87 Organisation-Book of the NSDAP. Editions of 1936, 1938, 1940 & 1943. Editor Dr. Robert Ley 1-3

2275-PS "Die Deitsche Arbeits-Front:Wesen - Ziel - Wege"; footnote from page 11. Published by the Publishing House of the G.L.Front.

2276-PS Die Deutsche Arbeits-Front. Wesen - Ziel - Wege. From p.55, issued by the Scientific Labor Institute of the German Labor Front.

2277-PS Statement of Gustav SCHIEFER 1-3

2283-PS Excerpts of the Munich Edition of the Voelkischer Beobachter, No.258 of September 14, 1936, page 11. The 5th day of the Party-Congress 1-2

2330-PS Order for protective custody of Josef SIMON, August 29, 1935.

2331-PS "Declaration" of Josef SIMON, on his release, 20 December 1935.

2332-PS Death-Certificate of Josef STAIMER, 22 December 1941.

2333-PS Death-Certificate of Paul Herrmann, 29 Dec. 1941

2334-PS Statement of Lorenz HAGEN, 17 Nov. 1945 1-4

2335-PS Josef SIMON, Statement of 23 Oct. 1945 1-3

2336-PS Special Circular on the Securing of the Association of the German Labor Front (DAF) against hidden Marxist sabotage, 27 June 1933. 1-6

2411-PS Charter of Unions of Workers and Employees, End of 1931. Page 555 of Statistical Year-Book of the German Reich (Statistisches Jahrbuch fuer das Deutsche Reich).

2895-PS Affidavit of Joseph Simon, Lorenz Hagen Mathias Lax of the Allegemeiner Deutscher Gewerkschaftsbund (General German Trade-Union Assn.), 13 Nov. 1945.

2928-PS AFFIDAVIT of Mathias LEX. Nov.16, 1945

H1108 - 0003

H1108 -0004



Pages 51-54. The Social Life of New Germany with Special Consideration of the German Labor Front (Das Sociale Leben im neuen Deutschland unter besonderer Berücksichtigung der Deutschen Arbeitsfront)(Berlin, 1938) by Prof. Willy Müller. 1/

"The Supreme Directorate of the Political Organization ("P.O.")
The Staff Director

Munich, 21 April 1933

Circular Letter Nr 6/33

On Tuesday, 2 May 1933, the coordination action (Gleichschaltungsaktion) of the free trade unions begins.

The direction of the entire action lies in the hands of the Action Committee.

The Action Committee is composed as follows:

Dr. Robert Ley, Chairman
Rudolf Schmeer, Deputy
Schuhmann, Commissar of the General German Trade Union Federation ("ADGB")
Peppler, Commissar for the General Independent Employees Federation ("AFA")
Muchow, Organization
Bank Director Muller, Commissar, Director of the Bank for Workers, Employees and Officials
Brinckmann, Commissar Chief Cashier
Biallas, Propaganda and Press

All the commissar directors of the unions belong to the broader Action Committee.

The essential part of the action is to be directed against the General German Trade Union Federation ("ADGB") and the General Independent Employees Federation ("AFA"). Anything beyond that which is dependent upon the free trade unions is left to the discretion of the Gauleiter's judgment.

The Gauleiters are responsible for the execution of the coordination action in the individual areas. Supporters of the action should be members of the National Socialist Factory Cell Organizations ("NSBO" or "National-socialistische Betriebszellen-Organisation").

SA as well as SS are to be employed for the occupation of trade union properties and for the taking into protective custody of personalities who come into question.

The Gauleiter is to proceed with his measures on a basis of the closest understanding with competent regional factory cells directors ("Gaubetriebszellenleiter").

The action in Berlin will be conducted by the Action Committee itself.

In the Reich the following will be occupied.

1/ In his foreword to this book, Prof. Müller expresses his appreciation to the German Labor Front for putting at his disposal a series of documents useful in the presentation. In "Wer Ist's, 1935" (Who's Who, 1935, Berlin), page 1113, Prof Müller is listed as "Rchschlgswalter. i.d. DAF" (Reichsschulungswalter in der Deutschen Arbeitsfront, or Reich Indoctrination Administrator in the German Labor Front).

H1108-0005

The directing offices of the unions;
The trade union houses and offices of the free trade unions,
The Party houses of the Socialist Democratic Party of Germany insofar as trade unions are involved there;
The branches and paying offices ("Zahlungstellen") of the Bank for Workers, Employees and Officials, Inc.
The district committees of the General German Trade Union Federation ("ADGB") and of the General Independent Employees Federation ("AFA")
The local committee of the General German Trade Union (Federation ("ADGB") and of the General Independent Employees Federation ("AFA")

The following are to be taken into protective custody:

All trade union chairmen (Verbandsvorsitzende);
The district secretaries and the branch directors of the "Bank for Workers, Employees and Officials, Inc."

The Chairman of local committees as well as the employees of unions are not to be taken into protective custody but are to be urged to continue their work.

Exceptions are granted only with the permission of the Gauleiter.

The taking over of the independent trade unions must proceed in such a fashion that the workers and employees will not be given the feeling that this action is against them, but on the contrary, an action against a superannuated system which is not directed in conformity with the interests of the German nation.

The provisional local direction of the General German Trade Union ("ADGB" and of the General Independent Employees ("AFA") Federations is to be taken over by a commissar of the National Socialist Factory Cells Organization ("NSBO").

The dealings with the authorities and other organizations are to be given over immediately to the newly installed commissars.

All treasuries and accounts of the independent trade unions are to be blocked immediately, and remain thus until Thursday afternoon 1800 hours. Insofar as incumbent cashiers are permitted to remain in office they will be subject to the authority of the commissar. All payment receipts must be countersigned by a commissar.

After raising the blocking of funds the usual payments for the support of persons, etc. must be unconditionally assured in order not to create a feeling of uneasiness among the members of the trade unions.

As soon as possible mass assemblies are to be arranged for the free attendance by all trade union members. In these meetings the meaning of the action is to be set forth and it is to be explained that the rights of the workers and employees are being unequivocally guaranteed.

The following unions belong to the General German Trade Union Federation ("ADGB"). . . . . .(Here follows an enumeration of 28 unions).

The following unions belong to the General Independent Employees Federation ("AFA"). . . . . .(Here follows an enumeration of 13 unions).

Up to the present time the following have been proposed for commissars:.....(Here follws an enumeration of 17 names as commissars for the the most important arrangements of the General German Trade Union Federation ("ADGB").

For the rest, the newly installed commissars will be nominated by the Gauleiters in close cooperation with the Regional Factory Cells Office ("Gaubetriebszellenamt").

It is to be understood that this action is to proceed in a strongly disciplined fashion. The Gauleiters are responsible in this respect; they are to hold the direction of the action firmly in hand.

H1108-0006

Heil Hitler!

signed: Dr. Robert Ley

The NSBO (National Socialist Factory Cells Organization) took over not only the administrative apparatus but the entire press of the "Free Trade Unions". The papers and magazines which had a pronounced party political (parteipolitisch) tendency had to stop their publication, while the other special publications continued. By all these measures Marxism was to be hit exclusively, but not the idea of trade unions as such, in which the right and defense of the German workers were embodied.

On 5 May 1933, the leader of the action committee reported to Hitler the success of the ordered action. Then, in a public mass demonstration, he reported about the events of 2 May to the workers of Berlin; at the same time, he unfolded before them his future plans which were to secure the maintenance of the financial efficiency of the trade unions in the interest of the worker.

Following the crushing of the free trade unions, the danger came, of course, that former functionaries would try to acquire money and other property items for themselves in an illegal manner. This, however, would have entailed damage to the members. To avoid these dangers on 12 May 1933, Fhe Attorney General of the State confiscated the property of the free trade unions and of all of their affiliated unions and administrative agencies in order to secure an orderly disposition of the property of the German workers. Dr. Robert Ley was assigned as the attorney with the right to dispose of the confiscated property. ("verfügungsberechtigter Pfleger denbeschlagnahmten Vermögen")

While the free trade unions were smashed (zertrümmert) in the action of 2 May, Dr. Ley granted the entire Union (Gesamtverband) of the Christian Trade Unions with further full liberty of movement. For this purpose, he told it on the 6th of May 1933 that "nothing will be changed in the present situation until the return of the Saar to the Reich and that they (the Christian Trade Unions) should continue as before to represent and carry on the idea of the Christian Trade Unions and of Germandom (Deutschtum) as they see it". Therefore the Christian Trade Unions put on temporary constraint in their attitude toward the social political events of 2 May and participated in the Saar in formin, the "German Trade Union Front" in order to help to secure the result of the Saar voting by achieving a unity of the people.

The former free trade union leaders behaved differently. These, with the assistance of their colleagues abroad and of the international union of the trade unions, tried to oppose the measures of the German government; this induced Dr. Ley to introduce the defense against sabotage by the legal authorities.

The hostile activities reached their peak at the International Workers Conference of Geneva which began on 8 June 1933. From the German side Dr. Ley also took part in it; representatives of the Reich Cabinet and of the Christian Trade Unions were with him. The subjects for the meeting were labor mediation, work conditions in certain branches of industry, social insurance, provision for unemployed and shortening of the working time. The participating states were to enter the basic rules, which were to be set up in an international agreement, into their social legislations. The Germans represented voiced the opinion that the situation of the working people could not be improved by international agreement but by providing work and bread for the workers. In spite of this opposite opinion, Germany took part at the conference; in this way the German government wanted to prove that it had no purpose whatever to smash the social achievements of the German labor but that, on the contrary, she endeavored to retain them and lead them further. However, she was not willing to approve of an international

agreement by which the further development of the German social legislation could be hampered.

During the conference, a few foreign personalities opposed the German representatives in such a way that Dr. Ley was induced to reject the further participation of the German Delegation in the discussions.

The atmosphere of Geneva did not remain without influence upon the representatives of the Christian Trade Unions. As already mentioned ,the Christian Trade Unions were first given opportunity to continue their social work without interference. They began to exploit this favor. Also formally they have asserted that they were subject to all governmental measures which have been already taken or were to be taken; but that they could not refrain in the course of time from striving for a special position which was to protect them from being ideologically converted("Weltanschaulichen Umstellung") to the world of national-socialistic ideas (Gedankengut). This attitude, which was contrary to the general interests and wasprone to bring again dissension in the ranks of labor, induced Dr. Ley on 24 June 1933 to order the complete incorporation of the Christian Trade Unions into the German Labor Front which had been founded in the meantime. It was again the NSBO to which this task was assigned. At the same time the leaders of the Christian Trade Unions lost their honorary positions which were granted to them by Dr. Ley in the new social order. Concerning this, Dr. Ley submitted the following statement:

> "I. With the formation of the German Labor Front the majority of workers and capitalists organizations should have an opposite orientation. Not only should the last refuge of Marxism be liquidated by this means, but also it should be possible to remove the unfortunate schism of the German laboring men. Petty and selfish persons do not wish to recognize this great revolutionary fact and seek to weaken this work by imitations and self-help organizations. It is the will of the Fuehrer that outside of the German Labor Front no other organization (whether of worker or of employers) is to exist....
>
> II. National Socialism is exercising the power in its strength most generously, however this proceeding is being interpreted here and there by its small opponents as weakness. Thus National Socialism believed that so it could be generous in dealing with the Christian trade unions and other middle-class groups. This fact was answered by ingratitude and disloyalty. It turns out that the afore-mentioned unions have shown the greatest corruption in treasury matters and in economic affairs. Because of this knowledge I order the following: All offices of the Christian Trade Unions and of employee unions are to be occupied by National Socialists....
>
> (Signed) Dr. Robert LEY"

- - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION OF DOC. 392-PS

- - - - - - - - - - - - - - - - - - - - - - - - 6 Nov. 1945

I, FRED NIEBERGALL, 2nd Lt, Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 392-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1108-0007

TRANSLATION OF DOCUMENT 404-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Page 675, "Mein Kampf", by Adolf Hitler
(Munich, 1933, 39th Edition).

---

The trade union in national-socialist interpretation, has not the mission to gradually transform into one class, through condensation, all the various individuals among the people, thereby to take up the fight against other similarly organized structures within the nation. On the whole we cannot assign this mission to the trade union, rather it was first conferred on it at the moment during which it became the weapon of Marxianism. It is not that the trade union is imbued with the spirit of the class struggle, directly, on the contrary, Marxianism has made of it an instrument for its class war. It created the economic weapon which the international world Jew uses for the ruination of the economic basis of free, independent national states, for the annihilation of their national industry and of their national commerce, and thereby for the enslavement of free peoples in the service of the above-the-state standing, world finance Jewry ("uberstaatlichen Weltfinanz-Judentums").

CERTIFICATE OF TRANSLATION
OF DOCUMENT 404-PS

29 October 1945

I, FRED NIEBERGALL 2nd Lt. Inf 01335567 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 404-PS.

FRED NIEBERGALL
2nd Lt. Inf
01335567

H1108 -0008

TRANSLATION OF DOCUMENT 405-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 285

Law concerning Trustees of Labor
of 19 May 1933

Gesetz über Treuhänder der Arbeit
vom 19 Mai 1933

---

The Reich Government has decided on the following law, which is hereby promulgated.

Section 1

(1) The Reich Chancellor appoints trustees of labor for the larger economic areas upon the proposal of the competent provincial governments and in agreement with them.

(2) The Reich Labor Minister will assign the trustees either to the participating provincial governments if they agree or to the provincial authorities.

Section 2

(1) Until a new revision of the social constitution the trustees are to regulate the conditions for the conclusion of labor contracts. This practice is to be legally binding for all persons and replaces the system founded on combinations of workers, of individual employers or of combinations of employers. The regulations concerning the general application (para 2 ff of the tariff accord decree in the publication of 1 March 1928, Reichsgesetzblatt I, p 47) remain unaffected.

(2) Moreover, the trustees are also to look after the maintenance of the labor peace.

(3) Furthermore, they are to be convoked for their cooperation in the preparation of a new social constitution.

Section 3

The trustees are empowered to request aid of the competent Reich and provincial authorities for the execution of their regulations. They should put themselves in contact with the provincial government or one of their designated authorities before executing their measures, even though the danger of delay exists.

Section 4

The trustees of labor are bound by the directives and decrees of the Reich Government.

Section 5

The Reich Minister of Labor in agreement with the Reich Minister of Economics issues the necessary regulations for the implementation.

Berlin 19 May 1935.

The Reich Chancellor
Adolf Hitler
The Reich Labor Minister
Franz Seldte

H1108 – 0009

The Reich Economics Minister and Agriculture
Hugenberg
The Reich Minister of the Interior
Frick
The Reich Minister of Finance
Count Schwerin von Krosigk

---

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 405-PS

18 November 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 405-PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
0-1335567.

TRANSLATION OF DOCUMENT 614-PS
OFFICE OF U S CHIEF OF COUNSEL

Pages 151-3 of "Die nationalsozialistische Revolution 1933", compiled by Dr Axel Friedrichs (Berlin 1935), which is Volume I of the documentary collection entitled "Dokumente der deutschen Politik", published by the Director of the Hochschule fuer Politik.

H1108 - 0011

## Proclamation of the Action Committee for the Protection of the German Labor
## 2 May 1933

German workers and employees! Working people in the town and country! The bells have tolled to honor work. The entire German people have sung the high psalm about the working man with a strength and enthusiasm which never before existed and thus has honored itself and the creative spirit. The wheels stopped, the anvil did not more resound, the miner came out of his mine: everywhere a holiday.!

That what the trade unions all shades, the red and black, the Christian and the "free", have not even come close to accomplishing, what has been a shadow only even in the best years of Marxism, a puny miserable copy compared to the gigantic thing of yesterday, NATIONAL SOCIALISM achieves in its first effort.

It puts the worker and the peasant, the artisan and the employee, briefly all working people, into the center of the State and renders the grabbing and despotic ones harmless. Who was that servant of capitalism, who was the reactionary who intended to oppress you and bereave you of all rights? Those red criminals who have abused you, well meaning, honest and decent German workers for decades, in order to deprive you and thus the entire people of its rights and heritage, or we, who amidst unutterable sacrifices and suffering, fought against these insane and distorted ideas of devilish Jews and the associates of the Jews? Already three months of National Socialistic government prove to you: Adolf Hitler is your friend! Adolf Hitler struggles for your liberty! Adolf Hitler gives you bread!

Today we are entering into the second chapter of the National Socialistic Revolution. You may say, what else do you want, you have the absolute power. True, we have the power, but we do not have the whole people, we do not have you workers a hundred percent, and it is you whom we want; we will not let you be until you stand with us in complete, genuine acknowledgment. You shall also be freed of the last Marxian manacles, so that you may find your way to your people.

For we know that without the German worker there is no German nation! And before everything else we must protect you, so that your enemy Marxism and its satellites cannot attack you from the back again.

Even though the Marxian Party has been completely destroyed such as the K.P.D., or find themselves in complete dissolution as the S.P.D., even if the party leaders have fled in miserable cowardice or have deserted everything and everyone; and have forsaken you, workers, cowardly and miserably as never before, we know that it is all pretense. Marxism pretends to be dead in order to ressurrect itself anew with favorable opportunity and again to plunge the Judas dagger into your back. Just as in 1914! Even at that time it sponsored the war debts and spread itself internationally in order to betray you to the imperialism of our enemies in 1918, and to sell you thereby to world capital.

The sly fox doesn't deceive us. Rather we will give him one last fatal shot so that we shall never again suffer with his resurrection. The Leiparts and Grossmaenner may pretend ever so much fidelity to Hitler, but it is better that they should be in protective custody. Therefore we shall strike the main weapon out of the hands of the Marxian group and thereby take from it its last possibility of renewed strengthening. The devilish teaching of the Jew Mardochai shall be destroyed wretchedly on the battlefield of the National Socialistic Revolution.

It is not as if we wanted to disrupt and destroy the unions. On the contrary, we have never disturbed anything which has, in any way, value for our people and we shall never do so in the future; that is a National Socialistic rule. This certainly goes for the unions which serve with hard work and were built up by the pennies taken from the mouths of the worker. No workers - your institutions are sacred and unimpeachable to us National Socialists. I myself am a poor peasant's son and understand poverty, I myself was 7 years in one of the biggest industries of Germany and I know the exploitation of anonymous capital, and I know, above everything else, of its stingy commercial methods, for, on account of my opinion I was fired from my occupation in 1928.

Workers, I swear to you we will not only keep everything which exists, we will build up the protection and rights of the worker even further, so that he can enter into the new National Socialistic State as a completely worthful and respected member of the nation.

Workers and peasants on a broad front together with the free occupations and skilled labor, - so we shall build a new Reich of well being, honor and freedom. Forward with Hitler for Germany.

- - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 614-PS

23 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 614-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1108 - 0012

TRANSLATION OF DOCUMENT 1389-PS
OFFICE OF U S CHIEF OF COUNSEL

H1108 - 0013

1935 REICHSGESETZBLATT, PART I, PAGE 769

# Law creating Reich Labor Service of 26 June 1935

# Reichsarbeitsdienstgesetz vom 26. Juni 1935

The Reich Government has decided to enact the following law which is hereby made public:

## Chapter I

## Labor Service of the Reich

### Article 1

1) The Reich Labor Service is a service of honor for the German people.

2) It is the duty of all young Germans of both sexes to serve their nation within the Reich Labor Service.

3) It is the task of the Reich Labor Service to educate the German youth in the spirit of National Socialism for the community of the nation and the true conception of labor, particularly to inspire them with the necessary respect for manual labor.

4) The purpose of the Reich Labor Service is the execution of work for the common benefit.

### Article 2

1) The Reich Labor Service is subordinated to the Reich Ministry of the Interior. The Reich Labor leader rules under its jurisdiction over the Reich Labor Service.

2) The Reich Labor leader is at the head of the Reichsleitung of the Labor Service. He dictates its organization, decides about the mobilization of labor and directs training and education.

## Chapter II

## The Labor Service Duty of the Male Youth

### Article 3

1) The Fuehrer and Reich Chancellor determines the number of the eligible recruits for every year and decides about the length of service.

2) The service starts at the minimum completed age of 18 and ends with the maximum completed age of 25.

3) As a rule, the eligible recruits will be called for labor duty in the year of completion of their 19th year.

4) Voluntary admission at an earlier age is possible.

5) Prison terms of more than 30 days will have to be made up for by the recruits and volunteers of the Reich Labor Service, if their offence does not make necessary their dismissal from the Reich Labor Service, according to Article 16.

### Article 4

The eligible recruits for labor will be conscripted by the "Ersatzdienststellen of the Reich Labor Service.

Article 5

1) The following are excluded from the Reich Labor Service:

a) Ex-convicts,
b) who is not in possession of the civic rights,
c) who comes under the regulations of security and correction according to Article 42a of the penal code (Strafgesetzbuch),
d) who has been expelled from the National Socialist Party because of dishonorable activities,
e) who has been condemned by the court because of activities against the State.

2) The Reich Minister of the Interior can make exceptions concerning Part 1, letters c and e.

3) Labor Service recruits who have been declared unworthy to occupy public offices can only be called, after the time of the loss of that honor, determined by the verdict, has elapsed.

Article 6

1) Persons who are completely unfit for labor service will not be conscripted for same.

2) Labor Service recruits residing abroad or intending to go abroad can be exempted from the fulfillment of labor service for up to two years, in exceptional cases even permanently, but in any case only as long as they stay abroad.

Article 7

1) Not eligible for labor service are persons of non-aryan descent or who are married to a person of non-aryan descent. The ruling of the Reich Minister of the Interior as in Article 1, part 3 of the Reich Law for Civil Servants, dated 8 August 1933 (RGBl I, 575), determines who is to be considered of non-aryan descent.

2) Non-aryans who have been declared worthy for armed service (wehrwuerdig) according to Article 15, part 2 of the Armed Service Law (Wehrgesetz) can also be accepted for labor service. They cannot occupy superior positions in the labor service, though.

Article 8

Eligible labor recruits can be deferred from labor service for up to 2 years, in the case of vital professional reasons up to 5 years.

Chapter III

The Labor Service Duties of the Female Youth

Article 9

The rules concerning the labor service of the female youth will be a matter of special legislation.

Chapter IV

Duties and Privileges of the Members of the Reich Labor Service

Article 10

1) The following are members of the Reich labor service:

a) The cadre,
b) The conscripted recruits,
c) The labor service volunteers

2) People can be hired by contract for certain functions of the interior service.

H1108 - 0014

H1108-0015

Article 11

1) The cadre consists of the leaders and office holders according to plan (T.O.) as well as the candidates for these offices. The regular leaders and office holders work for the Reich Labor Service on a professional basis.

2) The leader candidate has to sign up for at least ten years of continuous service and must prove his aryan descent, before he can be promoted to a regular leader (Truppfuehrer - sergenat). He must also have accomplished his military service.

3) Regular leaders and office holders must absolutely resign at a certain age limit.

4) Civil servants of other administrations who are transferred to the Reich Labor Service retain their claim concerning their financial privileges which they acquired prior to their transfer.

5) The Fuehrer and Reich Chancellor nominates and dismisses the members of the Reich Labor Service from the rank of major (Arbeitsfuehrer) and up. The other members of the Reich Labor Service are nominated and dismissed by the Reich Minister of the Interior on the proposal of the Reich Labor Leader (Reichsarbeitsfuehrer). He can confer this authority onto the Reicharbeitsfuehrer

Article 12

1) A regular Fuehrer or office holder can be dismissed from the service in any of these instances:

a) in justified cases on his own request,
b) if he does not possess any more the necessary physical and mental capacities to carry on in his job, and if the recovery of these capacities cannot be expected within a year, according to a certificate of a doctor of the labor service.
c) if his superior decides that he does not possess the necessary qualifications any more to carry on in his office.

2) Subsequent discovery of reasons for inadmissibility to the Reich Labor Service according to Articles 5 and 7 will result in immediate dismissal.

3) The intention of dismissal is, in the cases of part 1, letters b and c, to be made known 3 months in advance to the members of the cadre with more than 5 years of service and 1 month for the other members, with the motivation of dismissal. No previous notification of dismissals are necessary in all other cases.

Article 13

The membership of the Reich Labor Service lasts from the day of admission or conscription (Gestellungstag) until the end of the day of discharge.

Article 14

Membership of the Reich Labor Service does not constitute a work and service relationship in the sense of labor rights and social security as put down in Article 11.

Article 15

The members of the Reich Labor Service come under the penal regulations of the Reich Labor Service.

Article 16

1) Labor service recruits and volunteers can be released before the end of their term in the following cases:

a) on their request, if a reason for deferment, according to Article 8 came into existence after induction.

H1108 - 0016



b) if they are no longer in the possession of the physical or mental capacities necessary for the performance of the service.

2) A premature dismissal of labor service recruits and volunteers must be ordered in the case of subsequent discovery of reasons for inadmissibility to the Reich Labor Service according to Articles 5 or 7.

Article 17

1) Members of the Reich Labor Service, who belong to the National Socialist Party, cannot participate in the activities of the Party or its subdivisions.

2) In order to acquire and to exercise membership of any kind of organization as well as in order to form any kind of organization within or without the Reich Labor Service, the members of the Reich Labor Service must first obtain the authorization of the Reich Labor Service. The acquisition of membership of the National Socialist Party does not necessitate an authorization.

Article 18

The members of the Reich Labor Service must obtain an authorization in order to get married.

Article 19

The members of the Reich Labor Service must obtain an authorization in order to carry on a trade, for themselves and the members of their household, as well as in order to accept a paid, supplementary occupation.

Article 20

1) The members of the Reich Labor Service can refuse the position of a guardian, trustee, foster-father and supporter as well as any honorary occupation in the service of the Reich, country, community or the party.

2) An authorization is necessary for the acceptance of such a function. It can only be refused in vital cases.

Article 21

Members of the Reich Labor Service are entitled to free medical treatment and care in the case of sickness and accidents, according to special regulations.

Article 22

The salaries of the members of the Reich Labor Service are handled by the wage regulations of the Reich Labor Service.

Article 23

1) Financial claims resulting from the participation in the Reich Labor Service come under the regulations applicable to civil servants of the Reich. The highest authority in the spirit of these regulations is the Reich Laber Leader.

2) The decisions of the Reich Labor Service concerning the induction (articles 5, 6, 7), deferment (Article 8) and dismissal (Articles 12 and 16) are binding for the courts. The same applies to decisions about temporary relive of duty.

Article 24

The protection of the incapacitated in performance of the service and the personnel released after at least ten years of service and their survivers is regulated by the Reich Labor Protection Law (Reichsarbeitsdienstversorgungsgesetz).

Article 25

1) The Fuehrer and Reich Chancellor or his appointed representative office can authorize the departing members of the Reich Labor Service to wear the Reich Labor Service uniform until further notice.

2) This privilege is ordinarily only granted after at least 10 years of honorable service.

Chapter V

Final Instructions

Article 26

The legal and administrative regulations necessary for the execution and completion of this law will be issued by the Reich Minister of the Interior.

Article 27

1) This law becomes effective the day of its publication.

2) The Reich Minister of the Interior is authorized to determine at a later date for the effectiveness of various regulations of this law.

Berlin, 26 June 1935

The Fuehrer and Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick

- - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1389-PS

5 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1389-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1108 - 0017

TRANSLATION OF DOCUMENT 1678-PS
OFFICE OF U S CHIEF OF COUNSEL

Statement of accounts of the "Reichsorganisationsleiter" (Reich Organization Leader) of the NSDAP, Dr. LEY, at the 5th yearly session of the German Labor Front in Nuernberg, on 11 September 1937 ("Dokumente der deutschen Politik", Volume 5, pages 372, 373 and 376).

In speaking of "Soldiers of Labor" I have to demand that such soldiers of labor exist in reality. I have to demand that everybody march at the same cadence and in the same spirit. The factory-community is only then complete when every manager takes his place as an ordinary work-crew member among his crew. We shall not rest or relax before this is accomplished. Otherwise everything would be reduced to beautiful phrases resulting only in beer sessions and distribution of cigarettes. No, same cadence and stride, same pack and same marchings then no outward distinction between the entrepreneur and the worker shall exist anymore, and sometimes a worker might even look better from a racial point of view than the entrepreneur. And if the latter was adequately polished and drilled, he will lose his feeling of superiority and "curse" exactly like the others. That is necessary, and with this I come to another point.

My collaborators and myself found no rest. We too wanted to have laws and legal foundations. I was constantly pursued with that request. I asked the Fuehrer myself: "My Fuehrer, can't we too get a law?"

The Fuehrer refused. That's why I say: He was of greatest help to us. Had the Fuehrer given in at the time, we would be in bad shape now. The Fuehrer said: 'I think it's wrong. For once I want you to make a law through habit in Germany. For once I want to try it. It isn't possible in Germany to set up an authority without having to issue laws and decrees on the part of the State. It must be possible to create a great institution and establishment, based only on a law through habit and it must be possible to make this law through habit of a much greater force than any other law and justice."

Once I said to the Fuehrer: "My Fuehrer, actually I am standing with one foot in jail, for today I am still the trustee of the comrades "Leipart" and "Imbusch", and should they some day ask me to return their money, then it will be found that I have spent it, either by building things, or otherwise. But they shall never again find their property in the condition in which they handed it over to me. Therefore I would have to be convicted."

The Fuehrer laughed then and remarked that apparently I felt extremely well in this condition.

It was very difficult for us all. Today we laugh about it ...

- - - - -

We have only 70,000,000 altogether. Therefore we must use everybody. We have work for at least 100,000,000 and that figure is increasing from year to year. We must have new space. We want to repeat that again and again. We have told the world often enough. We are a people without space and we shall never forget that factor in all our social measures.

We need space, and we must never give this up in all our measures. We must never lose sight of that. That's why we need a healthy people and healthy men.

We succeeded - and this is about the most important accomplishment for the German Labor Front - in eliminating the association-character of the trade-unions and the employer-associations, and for it we have substituted the conception "Soldier of Labor" ("Soldat der Arbeit")

H1108 - 0018

TRANSLATION OF DOC. 1678-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

26 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1678-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1770-PS
OFFICE OF U S CHIEF OF COUNSEL

H1108 - 0020

1933 REICHSGESETZBLATT, PART I, PAGE 161

# Law concerning Factory Representative Councils and Economic Organizations of 4 April 1933

# Gesetz über Betriebsvertretungen und über wirtschaftliche Vereinigungen vom 4. April 1933

The Reich Cabinet has decided the following law which is hereby made public:

## Chapter I

## Factory Representative Councils

### Article 1

1) The Highest Authority of the Federal State can postpone the elections for the Legal Factory Representative Council for the Federal State, parts of the Federal State or for individual enterprises until 30 September of this year at the latest for reasons of public safety and order.

2) The Factory Representative Council existing up to date remains in office in the case of postponement of the elections. Filling of vacancies in Factory Representative Councils caused by dismissal of members is only necessary if the number of its members has fallen below half of the legal number of members or if they number less than three. The new members of the Factory Representative Council required for its minimum strength will be nominated from the eligible workers by the highest authority of the Federal State or the authority appointed by it.

### Article 2

The highest authority of the Federal State can cancel the membership of members who have been appointed contrary to the spirit of State and economy (die in staats- oder wirtschaftsfeindlichem Sinne eingestellt sind). It can appoint new members for the Factory Representative Councils from the eligible workers to replace the eliminated members.

### Article 3

The afore-mentioned regulations will be applied accordingly to the "United Factory Councils", created according to Article 50 of the Factory Council Law and to the "Special Representations" formed according to Articles 61 and 62. Article 93 of the Factory Council Law will not be applicable in the case of disputes concerning the execution of the above-mentioned regulations.

### Article 4

The competent highest Reich authorities will be appointed to exercise the powers for the highest authority of the Federal State contained in Chapter I, in the case of the administrations and enterprises of the Reich, including the German Railroad Company and the Reichsbank.

### Article 5

The regulations contained in Article 1, para. 2 and Article 2, 2nd sentence are also applicable to measures taken before the effectiveness of this law.

## Chapter II

## Dismissal of Workers

The right to oppose dismissal of a worker contained in Article 84 of the Factory Council Law is not applicable if the dismissed is suspected of an unfriendly attitude towards the State. The worker can appeal within

a week to the authority declared competent according to Chapter I, Article 2. That authority decides, after hearing all those concerned, whether the suspicions are justified or not. The dismissal is cancelled if its findings are negative.

Chapter III

Representation of Economic Organizations within the Miners Insurance (Versicherung)

Article 1

Article 184, Article 157, sentences 2 and 3 and Article 180, part 3 of the Reich Mining Law are hereby revoked.

Article 2

The Reich Labor Minister can charge members of the insurance or mine supervision authorities, as commissioners (Kommissare) with the tasks of the instances which are in office at the time; the commissioners are under the authority of the Reich Labor Minister.

Chapter IV

Legal Representation before the Labor Court

The following part 3 is added to Article 11 of the Labor Court Law:

The Reich Labor Minister can, in agreement with the Reich Economy Minister and the Reich Minister of Justice, put other organizations on the same level for legal representation as the organizations named in parts 1 and 2.

Chapter V

Directives of Execution

The Reich Labor Minister has the power to issue legal decrees and general administrative directives in order to insure the execution of the Regulations of this Law; he is authorized to change regulations of the Reich Mining Law in order to adapt them to the decrees of Chapter III of this Law.

Berlin, 4 April 1933

The Reich Chancellor
Adolf Hitler
The Reich Labor Minister
Franz Seldte
The Reich Minister of the Interior
Frick
For the Reich Minister of Justice,
The Reich Minister of Finance
Count Schwerin von Krosigk
The Reich Minister of Economy
Hugenberg

- - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1770-PS

18 October 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1770-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

H1108 - 0022

The Organization of the NSDAP and its Affiliated Associations, Pages 86-88 of the Organization Book of the NSDAP (Organisationsbuch der NSDAP), Editions of 1936, 1938 and 1940. Editor ("Herausgeber"), the Reich Organization Leader of the NSDAP (Dr. Robert Ley). Published by the Central Publishing House of the NSDAP, Franz Eher Successor, Munich

---

## THE ORGANIZATION OF THE NSDAP AND ITS AFFILIATED ASSOCIATIONS

The Party was created by the Fuehrer out of the realization that if our people were to live and advance towards an era of prosperity they had to be led according to an ideology suitable for our race. They must have as supporters men above average, that means, men who surpass others in self-control, discipline, efficiency, and greater judgment. The party will therefore always constitute a minority, the order of the National Socialist ideology which comprises the leading elements of our people.

Therefore the Party comprises only fighters, at all times prepared to assume and to give everything for the furtherance of the National Socialist ideology. Men and women whose primary and most sacred duty is to serve the people.

The NSDAP as the leading element of the German people controls the entire public life, from an organisational point of view, as well as from that of affiliates, the organizations of the State administration, and so forth.

In the long run, it will be impossible to let leaders retain responsible offices if they have not been recognized by the Party.

Furthermore, the party shall create the prerequisites for a systematic selection of potential "Fuehrers".

The reconstruction of the National Socialist organizational structure itself is demonstrated by the observation of the following principles:

The Fuehrer Principle

The subordination and coordination within the structure of the entire organization.

The regional unity

The expression of the practical community thought.

### I. FUEHRER PRINCIPLE (Fuehrerprinzip)

The Fuehrer Principle requires a pyramidal organization structure in its details as well as in its entirety.

The Fuehrer is at the top.

He nominates the necessary leaders for the various spheres of work of the Reich's direction, the Party apparatus and the State administration.

Thus a clear picture of the tasks of the party is given.

The Party is the order of "Führers". It is furthermore responsible for the spiritual-ideological-National Socialist direction of the German people. The right to organize people for their own sake emanates from these reasons.

This also justifies the subordination to the party of the organizations

concerned with the welfare of the people, besides the inclusion of people in the affiliates of the party, the SA, SS, NSKK, the Hitler Youth, the NS Womanhood, the NS, German Student Association and the NS German "Dozentenbund" (University teachers association).

This is where the National Socialist Fuehrer structure becomes more strongly apparent.

Every single affiliate is cared for by an office of the NSDAP.

The leadership of the individual affiliates is appointed by the Party.

The Reich Organization Leader (Reichsorganisationsleiter) of the NSDAP is simultaneously leader of the DAF. The NSBO is the organization bearer of the DAF.

The Leader of the Head-Office for Public Welfare also handles within the "Personalunion" the National Socialist Welfare and the Winter Relief.

The same applies to:

The "Reichsrechtsamt" (Reich Justice Office) for the NS "Rechtswahrerbund",

The head office for public health for the NS. German Medical Association,

The head office for educators for the NS Teachers Association,

The head office for civil servants for the Reich Association of Civil Servants,

The head office for war victims for the NS. War Victim Relief,

The head office for technology for the NS. Association of German Technology

The Racial Political Office handles the Reich Association of families with many children, the NS Womanhood (Frauenschaft) and the "Deutsches Frauenwerk".

The Reich Office for agrarian politics of the NSDAP remains furthermore in closest touch with the "Reichnaehrstand" (Reich Nutrition Office) which is anchored in the State. Direct handling and personal contact (Personalunion) of the leaders is also provided in this manner.

All attached affiliates, as well as the offices of the Party, have their foundation, in the same manner as in the Reich direction, in the sovereign territories, in the "Gaue" and furthermore in the districts (Kreise) and if required in the local groups of the NSDAP. This applies also to cells and blocks in the case of the NS Womanhood, the DAF, and the NSV. The members of the attached affiliates will be included in local administrations, respectively district sectors or district comradeships which correspond geographically to local groups of the Party.

## II. FUEHRER PRINCIPLE. SUBORDINATION AND COORDINATION WITHIN THE TOTAL ORGANIZATIONAL STRUCTURE

The Fuehrer structure would be split, though, if all subdivisions, including attached affiliates were completely independent in their structure from the smallest unit up to the "Reichsfuehrung" and were they to come only at the top directly under the Fuehrer.

H1108 - 0023

Like a four-story building, if we consider the four Sovereign territories (Reich, Gau, etc) whose pillars and walls go up to the roof without having supporting joists (wooden stays) or connections on the various floors. Furthermore, it would not be reconcilable with the Fuehrer principle, which assumes complete responsibility, to assume that the Leadeer of a sub-division, as well as of an affiliated organization, would be in the position to guarantee beyond a professional and factual responsibility the political and ideological attitude of all the sub-leaders down to the smallest unit on the basis of his Reich leadership (Reichsführung). The total independence of individual organizations would necessitate furthermore, the creation of an organizational, personal and educational apparatus for each one of them. This, in turn, would create eventually, in spite of the best will of the responsible "Reichsleiters" (Reich Leaders), central offices and office leaders in the Reich Leadership (Reichsfuehrung) of the party, differences in the various organizations. Those differences would later on of necessity take the shape of completely different systems in regional, vertical, and personal respects, etc. within the National Socialist regime.

The Subdivisions (NS German Student Association, NS Womanhood Association, NSD (Dozentenbund) and the affiliates and their leaders come therefore under the authority of the competent sovereign leaders of the NSDAP. At the same time their structure is professionally effectuated from the bottom up and they are subordinated to their immediately superior organization in the sovereign divisions of the Party, from a disciplinary point of view, that is to say insofar as organization, ideology, politics, supervision and personal questions are concerned.

Thus a solid anchorage for all the organizations within the party structure is provided and a firm connection with the sovereign leaders of the NSDAP is created in accordance with the Fuehrer Principle.

- - - - - - - - - - -

(In the 1943 edition the text remains the same, but the topical sentences"I. Führer Principle" and "II. Führer Principle. Subordination and Coordination within the Total Organizational Structure" are changed to "I. Construction of the Organization" and "II. Subordination and Coordination within the Total Organizational Structure")

H1108 - 0024

CERTIFICATE OF TRANSLATION
OF DOCUMENT No. 1814-PS

12 October 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1814-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

TRANSLATION OF DOCUMENT 1817-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Excerpt from Page 211, Organization Book of the NSDAP (Organisationsbuch der NSDAP) 1936 edition. Editor (Herausgeber), The Reich Organization Leader of the NSDAP. Published by the Central Publishing House of the NSDAP, Franz Eher Successor, Munich.

BUREAU FOR FACTORY TROOPS (AMT WERKSCHAREN)

I. TASK:

The Factory Troops in the National Socialist Community "Strength through Joy" (NS-Gemeinschaft "Kraftdurch Freude) carry out the following tasks:

1. To help and come to the rescue, in their capacity as a young factory guard, whenever there is a question of bringing the German workingman strength through joy.

2. Shaping of factory celebrations and festivals in order to permeate the factories with National Socialist ideology and philosophy, with special regard to the creation of a new ritual.

3. To be an ideological shock squad (Weltanschaulicher Stosstrupp) within the factory.

- - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1817-PS

11 October 1945

I, WILLARD EVANS SKIDMORE, Lt. (jg)USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1817-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

H1108 - 0025

Excerpts from Pages 195-196b, Organization Book of the NSDAP (Organisationsbuch der NSDAP) 1940 edition. Editor (HERAUSGEBER), the Reich Organization Leader of the NSDAP (Dr. Robert Ley). Published by the Central Publishing House of the NSDAP, Franz Eher Successor, Munich.

## BUREAU FOR FACTORY TROOPS (WERKSCHAR) AND TRAINING

The Bureau of Factory Troops and Training (WERKSCHAR UND SCHULUNG) is simultaneously a Bureau under the jurisdiction of the Reich Organization Leader of the NSDAP - Main Training Bureau. (195).

* * * * * * * * *

The education and training of the Bureau of Factory Troops and Training has in mind the totality of the tasks of the NSDAP and of the German Labor Front. It comprises political shaping of the will, and conveying trade knowledge, and includes the whole labor policy on an ideological basis, character education and creation of a soldierly attitude (Soldatisch-haltungs-maessige Ausrichtung).

It is the aim of the German Labor Front training to enable the Factory Troops and the German Labor Front functionaries to lead men in the work life of the German people, and thereby to render real the National Socialist community of factory, accomplishment and folk. (195a)

* * * * * * * *

## THE FACTORY TROOPS OF THE GERMAN LABOR FRONT IN THE FACTORY

### Regulations for its building

The Factory Troop as an organization exists only in the factory. It is the nucleus of the factory community.

### The Factory Troops Leader

The confirmed factory chairman (Betriebsobmann) of the German Labor Front leads, under the same title, the Factory Troops of the factory. For training and commitment of the shock squad (Stosstrupp) the factory chairman deputizes a shock squad leader (Stosstruppfuehrer).

### Membership in the Factory Troops

Membership in the Factory Troops is voluntary and it presupposes readiness to fight for a National Socialist conception of work and for a German worker's community. (196)

* * * * * * * * * *

H1108 - 0026

### TASK OF THE FACTORY TROOPS

Under the leadership of the factory chairman, it is the task of the Factory Troops to guarantee, under all circumstances and by all means, the political security and readiness of the factory to commit itself.

Not through words and speeches alone, but primarily through its example the Factory Troops shall convince the community of their fellow-workers of the justice of the National Socialist will, and educate them to utmost effort, to highest accomplishments and to most extreme devotion.

It must remain the aim of the Factory Troops to fuse the factory into a closely-meshed, single-willed community capable of the highest accomplishments for folk and Reich.

H1108 - 0027

Commitment:

a. Directives and regulations for physical coordination, commitment and utilization of the Factory Troops are issued by the Reich Organizational Leader, or on his behalf by the head of the Central bureau, respectively by the German Labor Front chairmen of district, (Gau) county (Kreis) and locality (Ort), insofar as it is not a question of Factory Troops tasks falling within the professional sphere of activity of the factory.

The competent regional chairmen (district, county and locality) are solely responsible for the overall commitment of the Factory Troops (196b)

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1818-PS

11 October 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1818-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

H1108 - 0028



TRANSLATION OF DOCUMENT NO 1861-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 45

Law Regulating National Labor
of January 1934

Gesetz zur Ordnung der Nationalen Arbeit.
vom 20. Januar 1934.

The Government of the Reich has decided to enact the following law which is hereby made public:

SECTION I

The Leader of the factory and the board of trustees.

Paragraph 1.

The enterpriser works in the factory as leader of the enterprise together with the employees and the workers who constitute his followers for the furtherance of the aims of the plant and for the common benefit of people and state.

Paragraph 2.

(1) The leader of the plant makes the decisions for the employees and laborers in all matters concerning the enterprise, as far as they are regulated by this law.

(2) He is responsible for the well-being of the employees and laborers. The employees and laborers owe him faithfulness according to the principles of the factory community.

Paragraph 3.

(1) In the case of legal persons and personal groups the legal representatives will be the leaders of the enterprises.

(2) The enterpriser or in the case of legal persons or personal groups, the legal representatives can appoint a person who participates in the management of the enterprise in a responsible capacity as their deputy. This must be done if they do not direct the plant themselves. In matters of lesser importance they can also appoint another person.

(3) Should the court of honor legally deprive the leader of the enterprise of his qualifications to be a leader, then a new enterpriser must be appointed.

Paragraph 4.

(1) Administrations are also considered as enterprises in the sense of this law.

H1108 - 0029



(2) Subordinate enterprises and parts of the enterprise which are connected with the main enterprise through common direction will only be considered as independent enterprises if they are situated far away from the main enterprise.

(3) The regulations of this law, with the exception of paragraph 32 and 33, do not apply to Ships, Inland navigation and Air-transport and their crews.

Paragraph 5.

(1) Trustees recruited from the employees and laborers act in an advisory capacity to the leader of an enterprise with, in the rule, at least 20 employees . They constitute with the leader and under his derection the board of trustees of the enterprise.

(2) To the employees and laborers in the sense of the regulations concerning the board of trustees belong also the persons who do piece work at home, who work mainly for the same enterprise either alone or with their families.

Paragraph 6.

(1) It is the duty of the board of trustees to increase the mutual confidence within the enterprise-community.

(2) It is the task of the board of trustees to discuss all measures concerning the improvement of the output, the form and execution of the general labor conditions, especially the enterprise regulations, the execution and the improvement of enterprise-protection, the strengthening of the ties between the nembers of the enterprise among themselves and toward the enterprise as well as the welfare of all the members of the community. It is furthermore their task to liquidate all quarrels within the enterprise-community. They must also be heard prior to the determination of punishment for violation of the plant-rules.

(3) The board of trustees can charge certain trustees with the execution of certain of its tasks.

Paragraph 7.

(1) The number of trustees is as follows:

| | | | | |
|---|---|---|---|---|
| in enterprises | with | 20- 49 | employees | ..... 2 |
| " | " | 50- 99 | " | ..... 3 |
| " | " | 100-199 | " | ..... 4 |
| " | " | 200-399 | " | ..... 5 |

(2) These numbers are increased by one trustee for each 300 supplementary employees until they reach the maximum of ten trustees.

(3) The same number of representatives has to be designated.

H1108 - 0030



TRANSLATION OF DOCUMENT NO 1861-PS
(Continue)

(4) Employees, workers and those who do piece work at home are to be considered in the choice of trustees.

The Chancellor of the Reich
Adolf Hitler

The Reich Minister of Labor
Franz Seldte

The Reich Minister of Economic Affairs
Dr. Schmitt

The Reich Minister of Justice
Dr. Guertner

The Reich Minister of Finance
Graf Schwerin von Krosigk

The Reich Minister of Interior
Frick

- - - - - -

CERTIFICATE OF TRANSLATION
Of Document No 1861-PS

17 November 1945

I, Willard EVANS SKILDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English, French and German languages; and that the attached is a true and correct translation of Document No 1861-PS.

WILLIAM EVANS SKILDMORE
Lt (jg) USNR
391590

TRANSLATION OF DOCUMENT 1913-PS
OFFICE OF U S CHIEF OF COUNSEL

[illegible], [illegible], [illegible]

1943 REICHSARBEITSBLATT, PART I, PAGE 588

Agreement between the Plenipotentiary General for the Arbeitseinsatz and the German Labor Front concerning the care of non-German workers

Vereinbarung zwischen dem Generalbevollmächtigten für den Arbeitseinsatz und der Deutschen Arbeitsfront über die Betreuung der fremdvölkischen Arbeitskräfte

The Commissioner for the
Four Year Plan

[illegible], 20 Sept
Berlin, 20 Sept. 1943

The Plenipotentiary General
for the Arbeitseinsatz
VIc 5783/291

To the presidents of the Gau employment offices and
to the Reich Trustees of Labor
as well as to the directors of the employment offices.

Agreement between the Plenipotentiary General for the Arbeitseinsatz and the German Labor Front concerning the case of non-German workers

Agreement

The following agreement has been concluded between the Plenipotentiary General for the Arbeitseinsatz, Gauleiter and Reich Governor (Reichstatthalter) SAUCKEL and the Reichsleiter of the German Labor Front, Reichsorganisation leader Dr. LEY:

1. The German Labor Front, on the basis of decree Nr 4 of the Plenipotentiary General for the Arbeitseinsatz of 7 May 1942 - GBA 405/42 (Nr 2b) has the sole and exclusive mission of caring for all foreign workers employed within the Reich. Excluded are the farm workers employed in the Reich food administration.

2. The Reichsleiter of the German Labor Front, Reichsorganisationleiter Dr LEY, in collaboration with the Plenipotentiary General for the Arbeitseinsatz, Gauleiter SAUCKEL, will establish a "central inspection" for the continuous supervision of all measures concerning the care of the foreign workers mentioned under 1. This will have the designation:

"Central inspection for the care of foreign workers".

The central inspection for the care of foreign workers exercises its functions upon directives and in the name of the Plenipotentiary General for the Arbeitseinsatz and of the Reichsleiter of the German Labor Front. In order to avoid all duplication of work, it will be its sole responsibility, to scrutinize all measures taken for the care of foreign workers employed in the factories and camps, also to remove immediately all defects discovered - as far as possible - on the spot and to issue the necessary instructions for this.

The authority of the Plenipotentiary General for the Arbeitseinsatz to empower the members of his staff and the presidents of the state employment offices to get direct information on the conditions regarding the employment of foreigners in the factories and camps, will remain untouched.

3. The central inspection for the care of foreign workers will be continuously in touch with the main office VI of the Plenipotentiary General for the Arbeitseinsatz. It will instruct the office on the general observations made and will make suggestions for changes, if that should become necessary.

4. The offices of the administration of the Arbeitseinsatz will be constantly informed by the "central inspection for the care of foreign workers" of its observations, in particular immediately in each case in which action of State organizations seems to be necessary.

This agreement becomes effective on the day of its signing.

Berlin, 2 June 1943

Dr Robert LEY Fritz SAUCKEL

For the carrying out of this agreement I order the following:

1. The supervision of all welfare measures in the realm of the employment of foreign workers is the sole responsibility of the central inspection for the care of foreign workers. Complaints about bad quarters, food, deficient provision of free time activities and cultural and propagandistic care will in the future be directed by me to the central inspection for investigation and elimination of possible deficiencies. The labor offices and Gau labor offices must direct complaints and protests coming to them to the locally competent office of the German Labor Front.

The central inspection will inform the Plenipotentiary General for Arbeitseinsatz regarding its decisions and the measures instituted by it and their completion.

2. The employment of foreign workers, their identification, equalization between the plants, transfers, supervision of practical and vocationally correct employment in the plant, the promotion of instructional measures to increase production, as well as drafting of the labor-contract regulations, the carrying out of pay regulation measures, and the supervision of the orderly paying of foreign workers, remain as formerly the task of the competent offices of the administration of the Arbeitseinsatz and Reich trusteeship.

3. The directives for the employment of eastern and western laborers given in Va 5780.28/9C of 9 January and Va 5780/19C of 4 February 1943 remain in force with the provision that the labor offices and Gau labor offices and the specialists employed with them for the inspection of camps for eastern laborers need only undertake the tasks mentioned under No 2.

4. The close interrelationship of the tasks of the Arbeitseinsatz and the care of foreign labor demands, independently of the measures to be effected, for the execution of the above agreement, a constant and close cooperation between the offices of the administration of the Arbeitseinsatz and the offices of the German Labor Front. If for example, it is determined in the execution of Arbeitseinsatz measures, that an insufficient labor performance on the part of foreign labor results from absence of welfare work, then the competent agencies of the German Labor Front are to be informed of this without delay, so that the latter may effect the correction of existing deficiencies. On the other hand the offices of the German Labor Front will bring to the attention of the competent agencies of the Arbeitseinsatz administration findings made in the course of their welfare work which require an evaluation from the point of view of the Arbeitseinsatz.

For the adjustment of individual questions of cooperation between the offices concerned and the creation of a permanent exchange of findings the Gau labor offices will enter into negotiations with the appropriate administration (Gauwaltungen) of the German Labor Front and will inform the labor offices on the rulings effected for the districts.

By order
Dr BEISIEGEL

H1108 - 0032

- - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 1913-PS

26 October 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1913-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

H1108 - 0033

H1108 - 0034

TRANSLATION OF DOCUMENT NO. 1939-PS
Office of U.S. Chief of Counsel.

A "Proclamation to Workers" addressed to employees and employers by Dr. Robert Ley on 5 September 1939. Quoted from the chapter "The German Worker Has Recognized..."(Der deutsche Arbeiter hat erkannt..."), pp. 14 - 17, of "SCHMIEDE DES SCHWERTES"("Forge of the Sword"), a collection in book form of speeches by, and articles about, Dr. Robert Ley, published in 1942 by the Central Publishing House of the NSDAP, Franz Eher Successor, Munich, with a foreword by Reichs Marshal Goering.

- - - - - - - - - - -

The German people in its overall attitude is what the Führer has made of that people after the collapse. The poised and self-assured attitude of the German people in the current world crisis contrasts so enormously with the insecurity of the so-called democratic nations, that each thinking human being must ask himself about the cause of this state of affairs, which is so full of hope for us Germans.

The achievement of the Führer in the entire political sphere is a LARGE SCALE AND UNIQUE ACHIEVEMENT OF EDUCATION. The following principles have been taught by the Führer and are decisive for the present strong attitude of Germany.

The Führer has taught the German people that its existence and its being is dependent upon the unqualified perception of all Germans that the battle for life of the German people cannot be fought in limited areas, but that this battle for life means wrestling and battling in all spheres of life. It is the teaching of the totality for the battle for life.

We National Socialists say; social policy and economy are one and belong together. Progress and development are socialism. A socialist can never be a pacifist; on the contrary, he must ALWAYS STAND PREPARED AT THE HIGHEST PITCH OF MILITARY READINESS to attain the socialist objective. Peace and war are not separate, mutually exclusive conditions, but in each case they are only a different guise(Erscheinungsform) for one and the same struggle of the people to secure its living potentialities. We National Socialists do not hope for gifts and miracles., but we recognize that every thing must be fought and worked for honestly. We do not believe in chance, and we leave nothing to arbitrariness either. To us Fight(der Kampf) is Life, and to us Life means Fight. We have no inclination to rest and restrict ourselvesto watching, but we know that Life would simply pass us by were we to withhold ourselves from the Fight. We could never make up for what we neglect today.

BECAUSE OF THAT THE FUHRER HAS FURTHERMORE TAUGHT US THAT OUR GERMAN PEOPLE MUST COMMIT ALL THE STRENGTH AND ENERGY IT POSSESSES TO FIGHT THROUGH THE STRUGGLE OF LIFE AND DESTINY, SO AS TO ATTAIN VICTORY. We National Socialists REJECT HALF MEASURES AND COMPROMISES. They never lead to the goal, but lull people to sleep until they wake up one day in horror and dread. COWARDS PERISH!

Because of that we National Socialists have mobilized all resources and all our energies during the past seven years, so as to be equipped for the supreme effort of battle . WE DO NOT THROW OURSELVES INTO ADVENTURES, AND WE ARE NOT SO UNSCRUPULOUS AS TO LEAVE ANYTHING TO ACCIDENT.

True,- when according to human judgment and according to the state of our knowledge all preparations have been made, then we have never as yet hesitated to venture the ultimate.

OBSERVE THE FÜHRER! Is he not the living model! His own career, his leadership of the NSDAP, the seizure of power, the

conduct of the state, the regaining of Austria, the Sudeten area, Bohemia and Moravia and finally the Memel territory, - all great events demonstrate ever anew the fortunate fact that the Führer prepares anything and everything to the last detail. He calculates, ponders, elucidates, - he acts. But when a decision has been arrived at, then there is no more going back. He holds fast, He is tenacious.

Thus did the Führer's great successes come about, and thus new successes will be added.

In conclusion the Führer has taught a third principle: THE PREREQUISITE for any battle and THE PREREQUISITE for the mobilization of all our strength and energy is the folk and fate community of all Germans. (Volks und Schicksalsgemeinschaft). Even though our professions may differ, even though our interests may clash, even though the individuality of the various tribes and provinces may reveal itself, one thing encompasses us, whether we are workers or soldiers; THE RECOGNITION, THAT WE GERMANS BELONG TOGETHER IN AN INDISSOLUBLE COMMUNITY OF FATE.

For example, what a splendid example was the building of the West Wall, which revealed convincingly and unforgettably the cohesion of worker and soldier!

THE COMMUNITY OF THE FACTORY IS NOT A MATTER OF PAPER VERBIAGE, BUT IT IS AN UNEQUIVOCAL FACT.

The Great War 1914/1918 was not lost because the German soldier had become a coward, but because dissension and discord tore the people asunder.

Destiny will test us anew. This time we will demonstrate what the National Socialist community can accomplish. This community is not a matter of paper verbiage, it is not a phrase! The first precautionary measure, the introduction of rationing certificates(Bezugsscheine) has proven how seriously the National Socialist state believes in the total people's community.

Thus you, German man and German woman workers, will understand that in this gigantic fight of Germany for justice and freedom, for living space and bread, THERE IS NO PLACE WHATEVER FOR EVERYDAY QUARRELS. YOU, working German, will learn to understand THAT THE LONG-RANGE PLANS OF THE FUHRER AUTOMATICALLY PRECLUDE ALL DISSENSION.

It will be impossible in future, too, to play the Home Front against the Fighting Front and Fighting Front against the Home Front. Not a front sector at some border is alone involved in battle, but the entire German people. The worker at his drill press, the merchant at his counter, the inventor in his laboratory, the soldier in the trenches, they are all equally determined to fight for Germany's freedom.

No one will be able to evade the question: "Do you believe in Germany?", and no one will want to evade that question. And the answer to this question will resound audibly for the whole world: "Yes, indeed, we believe in Germany because we believe in the work of the Führer.

- - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 12 Oct. 1945.

I, FRED NIELSBALL, 2nd Lt. Inf. 0-133 55 67, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No.

FRED NIELSBALL
2nd Lt. Inf.
0-133 55 67.

H1108-0035

TRANSLATION OF DOCUMENT 1940-PS
OFFICE OF US CHIEF OF COUNSEL

Translation of an excerpt from column 5, page 1 of the VOELKISCHER BEOBACHTER, Southern German Edition (Publisher Franz Eher Successor), issue 136, of 11 May 1933:

THE GERMAN LEADERS OF LABOR

AN EDICT BY ADOLF HITLER

Berlin, 10 May

The Fuehrer Adolf Hitler has issued the following edict:

I appoint the Chief of Staff of the Political Organization (P.O.) of the NSDAP, Dr. Robert L e y , as leader of the German Labor Front.

I appoint District Leader (Gauleiter) F o r s t e r , Danzig, as leader of the Employees' Associations (Angestelltenverbände).

I appoint the leader of the National Socialist Factory Cell Organization (N.S.B.O.), S c h u h m a n n, as leader of the Workers' Associations (Arbeiterverbände).

Berlin, 10 May

Adolf Hitler.

- - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1940-PS

12 October 1945

I, FRED NIEBERGALL, 2nd Lt, Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1940-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1108 - 0036

TRANSLATION OF DOCUMENT 2005-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 173

Second Law Integrating the Laender with the Reich
7 April 1933

Zweite Gesetz zur Gleichschaltung der Laender mit dem Reich
vom 7 April 1933

---

The Reich Government has enacted the following law which is hereby promulgated:

1

(1) In the German "Laender", with the exception of Prussia, the Reich President, upon the proposal of the Reich Chancellor, shall appoint the Reich governor, the Reich governor shall require the observance of the general policy laid down by the Reich Chancellor. The following powers of "Land" authority belong to him:

1. Appointment and removal of the head of the "Land" Government, and upon his proposal, the other members of the "Land" Government.

2. Dissolution of the legislature and designation of the new election subject to the rule of section 8 of the Provisional Law of March 31, 1933, Integrating the German "Laender" with the Reich.

3. Preparations and publication of "Land" laws, including the laws which are determined upon by the "Land" Government according to section I of the Provisional Law of March 31, 1933, Integrating the German "Laender" with the Reich. Article 70 of the Constitution of August 11, 1919, applies accordingly.

4. Upon the proposal of the "Land" Government, appointment and dismissal of the higher "Land" officials and judges, so far as this formerly was accomplished by the highest "Land" officials.

5. The power of pardon.

(2) The Reich governor may preside over the meetings of the "Land" Government.

(3) Article 63 of the German Constitution of August 11, 1919 remains unaltered.

2

(1) A Reich Governor may not simultaneously be a member of a "Land" Government. He shall belong to the "Land" whose sovereign powers he exercises. His official residence is at the seat of the "Land" Government.

(2) For several "Lands" in each of which there are less than 2 million inhabitants, a common "Land" governor who must be a resident of one of these "Lands", may be appointed. The Reich President shall designate the governor's official residence.

3

(1) The Reich governor is appointed for the duration of a "Land" legislative period. He can be recalled by any time by the Reich President on the proposal of the Reich Chancellor.

(2) The provision of the Reich Ministry Law of March 27, 1930, find appropriate application to the office of Reich governor. His remuneration is borne by the Reich; the establishment of its size remain unsettled.

4

Votes of no confidence of the "Land" legislature against the head and the members of the "Land" Government are not permissible.

5

. . . . . .

6

. . . . . .

The Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

- - - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2005-PS

9 November 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 2005-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

H1108 - 0038

TRANSLATION OF DOCUMENT 2050-PS
Office of U.S. Chief of Counsel.

H1108 - 0039

1919 REICHGESETZBLATT I, p. 383

# THE CONSTITUTION OF THE GERMAN REICH
August 11, 1919

# DIE VERFASSUNG DES DEUTSCHEN REICHS
VOM 11 AUGUST 1919

The German people, united in their racial elements and impelled by the will to renew and strengthen their Reich in freedom and justice, to serve the ends of peace at home and abroad and further social progress, have established this Constitution.

## FIRST PART

## STRUCTURE AND FUNCTION OF THE REICH

### First Chapter

### Reich and Lands.

#### Article 1.

The German Reich is a Republic. The state power is derived from the people.

#### Article 2.

The territory of the Reich consists of the territories of the German Member States(Lands). Other territories may be incorporated in the Reich by Reich statute if the inhabitants of such territory, in exercies of the right of self-determination so desire.

#### Article 3.

The Reich colors are black, red and gold. The merchant flag is black white and red, with the Reich colors in the upper inside corner.

#### Article 4.

The generally accepted rules of international law are to be considered as binding integral parts of the law of the German Reich.

#### Article 5.

The state power in respect to matters within the competence of the Reich shall be exercised by the authorities of the Reich on the basis of the Constitution of the Reich; in respect to matters within the competence of the Member States by the authorities of the Lands, on the basis of their respective constitutions.

#### Article 6.

The Reich shall have exclusive legislative competence for:

1) Foreign affairs(Beziehungen zum Ausland)

2) colonial matters.

3) questions relating to nationality, freedom of travel and residence (Freizügigkeit), immigration, emigration and extradition.

TRANSLATION OF DOCUMENT 2050-PS
Contd.

4) the organization of defense forces.

5) coinage

6) customs, as well as the unity of customs and trading areas and freedom of commerce.

7) post and telegraph, including the telephone.

Article 7.

1) civil law

2) penal law

3) judicial procedure, including the execution of penalties and legal aid between authorities (Amtshilfe)

4) matters relating to passports and police supervision of aliens(Fremdenpolizei)

5) poor relief and the care of vagrants.

6) matters relating to thepress, associations and assemblies.

7) policies relating to population(Bevölkerungspolitik), maternity relief, welfare of infants, children and youth.

8) public health, veterinary matters and the protection of plants against disease and pests.

9) labor laws, insurance, and the protection of laborers and employees, and employment bureaus.

10) the establishment of Reich organs of vocational representation(Berufliche Vertretung)

11) provision for war veterans and the surviving dependents of deceased soldiers.

12) laws relating to expropriation.

13) the socialization of natural resources and economic undertakings, and also the production, manufacture, distribution and price regulation of economic wares for the benefit of the general economy.(Gemeinwirtschaft)

14) trade and commerce, weights and measures, the issue of paper money, banks and banking and the stock exchanges(Börsenwesen)

15) traffic in foodstuffs, articles for consumption and luxury, and necessaries of daily life.

16) industries and mining.

17) matters relating to insurance.

18) ocean navigation, deep-sea fishing and coastal fishing.

19) railways, inland navigation, automatice traffic on land, water, and in the air; the construction of highways, insofar as general communication and national defense are concerned.

20) theaters and cinemas.

Article 8.

The Reich shall further legislate in regard to taxation and other revenues, insofar as they are partially or wholly utilized for its own purposes. If the Reich claims such taxes or other revenues for its own purposes as have hitherto been available for the Member States(Lands), the Reich shall taken into consideration the preservation of the life of the Member States.

Article 9.

Insofar as it is necessary to issue uniform rules, the Reich shall legislate for:

1) public welfare

2) the protection of public order and safety.

Article 10.

The Reich may by legislation, establish fundamental principles(Grundsätze) for:

1) the rights and duties of religious associations.

2) educational matters including high schools and scientific libraries.

3) laws relating to officers of all public corporations

4) matters relating to the real-estate laws, distribution of the soil, settlements and homesteads, restrictions attached to landed property, housing and the distribution of the population.

5) matters relating to burial

H1108 - 0041

Article 11.

The Reich may be means of legislation establish fundamental principles concerning the admissibility and mode of:

1) injury to the revenues or commercial relations of the Reich

2) double taxation

3) excessive or obstructional fees for the use of public means of communication, highways, and other facilities.

4) tax discrimination against imported goods in favor of domestic products in inter-state or inter-district commerce, or

5) export premiums,

or in order to preserve important social interests.

H1108-0042

Article 12.

So long as and insofar as the Reich refrains from exercising the right of legislation, the Lands shall retain the right of legislation. This does not apply to matters for which the Reich has exclusive competence of legislation.

The government of the Reich has the right of veto in regard to Lands laws relating to matters within the scope of Article 7, Number 13, insofar as the general welfare of the Reich is thereby affected.

Article 13.

Reich law takes precedence over Lands law.

Where there are doubts or differances of opinion as to whether a legal provision of a Land is compatible with Reich law, the competent Reich or central authorities of a Land may, in accordance with particulars prescribed by the Reich law, appeal for decision to a Supreme Court of the Reich.

Article 14.

The laws enacted by the Lands shall be executed by the authorities of the States, unless the laws of theReich determine otherwise.

Article 15.

The government of the Reich exercises supervision in such matters as are within the legislative competence of the Reich.

Insofar as the laws of the Reich are to be executed by the authorities of the Lands, the government of the Reich may issue general instructions. The government is empowered to send commissioners to the central authoritiss of the Lands, and with their permission, to the lower state authoriites, to supervise the execution of the laws of the Reich.

It is the duty of the government of the Lands, at the request of the government of the Reich, to rectify defects which have become manifest in the execution of Reich laws. Where differences of opinion arise both the government of the Reich and the government of the Land may appeal for decision to the Constitutional Court (Staatsgerichtshof), unless a different court is prescribed by Reich law.

Article 16.

The officers entruste with direct Reich administration in any Land shall, as a rule, be citizens of that Land. The officers, employees and laborers of the Reich administration shall be employed in thier home districts if they so desire, whenever this is possible and not inconsistent with the requirements of their training or the service.

Article 17.

Each Land must have a republican constitution. The people's representatives must be elected by universal, equal, direct and secret ballot by all German men and women in conformity with the principles of proportional representation. The government of the Land must enjoy the confidence of the people's representatives.

The principles for the elections of the people's representatives apply equally to communal elections. A Land law, however,

may make the right to vote dependent on residence in the communal district for a period not exceeding one year.

Article 18.

The division of the Reich into Lands shall be such as to serve the people to the highest possible economic and cultural attainment, whereby the will of the population affected shall betaken into consideration as far as possible. /The alteration of territory of the Lands and the creation of new Lands within the Reich may be effected by means of a Reich law amending the Constitution.

If the Lands directly affected give their consent, an ordinary Reich law is sufficient.

An ordinary Reich law is also sufficient, if one of the Lands affected refuses consent, but the territorial alteration or the creation of a new Land is demanded by the will of the population and the paramount interests of the Reich.

The will of the population shall be ascertained by plebiscite. The Government of the Reich orders the plebiscite if, in the territory to be separated, one-third of theinhabitants qualified to vote for the Reichstag so demand.

Three-fifths of the votes taken, but at least a majority of the enfranchised voters, are necessary for a resolution to alter a boundary or create a new Land. Even if it is only a question of the disconnection of a part of a Prussian administrative district (Regierungsbezirk), a Bavarian "county" (Kreis) or a corresponding administrative division in other Lands, the will of the population in the whole district affected must be ascertained. If the territory to be disconnected nowhere adjoins the rest of the district, a specific Reich law may declare that the will of the population in the said district is sufficient.

The consent of the population having been ascertained, the government of the Reich shall introduce an appropriate bill for enactment in the Reichstag.

If the unification or disconnection should give rise to a dispute concerning the distribution of property, the Constitutional Court of the German Reich shall decide the same on the application of one party.

Article 19.

Constitutional disputes arising within any Land in which there is no court competent to settle the same, of disputes not governed by private law, arising between different Lands or between the Reich and any Land shall be decided by the Constitutional Courtof the German Reich on the application of one party, unless some other court of the Reich is competent to decide such dispute.

The President of the Reich executes the judgment of the Constitutional Court of the Reich.

Second Chapter

The Reichstag

H1108 - 0043

TRANSLATION OF DOCUMENT NO. 2050-PS
Contd.

Article 20.

The Reichstag is composed of the delegates of the German people.

Article 21.

The delegates represent the whole people. They are subject only to their own conscience and are not bound by instructions.

Article 22.

The delebates are elected by universal, equal, direct and secret ballot by men and women over twenty years of age, according to the principles of proportional representation. The election day must be a Sunday, or a public holiday.

The Reich Election Law will regulate details.

Article 23.

The Reichstag is elected for four years. New elections must take place at the latest on the sixtieth day after this term has run its course.

The Reichstag assembles for the first time at the latest on the thirtieth day following the election.

Article 24.

The Reichstag meets every year on the first Wednesday in November at the seat of the government of the Reich. The President of the Reichstag must summon it earlier if the President of the Reich or at least one-third of the members of the Reichstag so demand.

The Reichstag determines the close of its session(Tagung) and the date of reassembly.

Article 25.

The President of the Reich may dissolve the Reichstag, but not more than once for the same cause.

The new election takes place not later than the sixtieth day after dissolution.

Article 26

The Reichstag chooses its president, his substitutes and its Secretaries.. It sets up its own rules of procedure.

Article 27.

Between two sessions or terms(Wahlperioden) the President and his substitutes of the preceding session continue in their duties.

Article 28.

The President has domiciliary (Hausrecht) and police authority within the Reichstag building. He controls the house administration; he manages the revenues and expenditure of the house in accordance with the budget of the Reich, and represents the Reich in all legal transactions and disputes arising within his administration.

H1108 -0044

H1108 - 0045

Article 29.

The Reichstag proceedings are public. They may be held in camera, if, on the motion of fity members, a two-thirds majority so decides.

Article 30.

Accurate reports of the proceedings are of the public meetings of the Reichstag, the State Diets, and of their committees remain free from all responsibility.

Article 31.

An Election Investigation Court (Wahlprüfungsgericht) shall be established in connection with the Reichstag. It shall also be competent to decide whether a delegate has forfeited his seat.

The Election Investigation Court consists of members of the Reichstag, elected by the latter for the election period and of members of the Reich Court of Administration (Reichsverwaltungsgericht), appointed by the President of the Reich on the proposal of the presidency of the said court.

The decisions of the Election Investigation Court shall be taken after a public oral hearing by three members of the Reichstag and two judicial members.

Outside of the oral proceedings before the Election Investigation Court such affairs shall be managed by a commission of the Reich, nominated by the President of the Reich. In other respects the procedure is regulated by the Election Investigation Court.

Article 32. A simple majority vote is necessary for decisions of the Reichstag, unless the Constitution prescribes a different proportion of votes. The rules of procedure may make exceptions in the case of elections by the Reichstag.

The rules of procedure regulate the question of a quorum.

Article 33. The Reichstag and its committees may demand the presence of the Chancellor of the Reich and of any Minister of the Reich.

The Chancellor and Ministers of the Reich and the commissioners appointed by them have access to the sittings of the Reichstag and its committees. The Lands are entitled to send delegates to these meetings to state the views of their governments on the subject under discussion.

At their request the governmental delegates (Regierungsvertreter) must be heard during the deliberations, in the case of the representatives of the government of the Reich (Vertreter der Reichsregierung), even irrespective of the agenda.

They are subject to the authority of the chairman as regards questions of orders.

Article 34. The Reichstag has the right and--on the application of one-fifth of its members--the duty, of appointing investigation committees (Untersuchungsausschüsse). These committees hear such evidence in public sittings as they or the applicants consider necessary. The public may be excluded from the proceedings by a

two-thirds majority of the investigation committee. The rules of procedure determine the proceedings of the committee and determine the number of its members.

It is the duty of the judicial and administrative authorities to accede to the requests of the said committees in regard to the taking of evidence; the files of the authorities must be submitted to the committees on request.

The provisions of the Code of Criminal Procedure (Strafprozessordnung) are applicable as far as is appropriate to the investigations of the committees and the authorities approached by them; nevertheless, the secrecy of letters, post, telegraph and telephone remains inviolate.

Article 35.

The Reichstag appoints a standing committee for foreign affairs, which may also act when the Reichstag is in recess, and after the parliamentary term has expired, or after the dissolution of the Reichstag, until the new Reichstag meets. The meetings of this committee are not public, unless the committee decides otherwise by a two-thirds vote.

The Reichstag also appoints a standing committee for the maintenance of the rights of the people's representation towards the government of the Reich during the periods of recess, and after the term has expired or the Reichstag is dissolved, until the new Reichstag meets.

These committees have the rights of investigation committees.

Article 36.

No member of the Reichstag or of a Land's Diet may at any time be subjected to criminal or disciplinary prosecution or otherise held responsible outside the house on account of his vote or of remarks made by him in the execution of his functions.

Article 37.

During a session (Sitzungsperiode) no member of the Reichstag or of a Land's Diet may be subjected to investigation or arrested on account of any punishable offense, without the consent of the house to which such a delegate belongs, unless he is arrested in the act of committal or at the latest in the course of the following day.

Similar consent must be obtained for every other curtailment of personal freedom which hinders a delegate in the execution of his functions as representative.

Any criminal proceeding against a member of the Reichstag or a Land's Diet, any detention (Haft) or other curtailment of his personal liberty must be suspended for the duration of the session at the request of the house to which the delegate belongs.

H1108 -0046

Article 38.

Members of the Reichstag and the Land's Diets are entitled to refuse to give evidence in respect to persons who have confided matters to them in their capacity as delegates or to whom they have given such confidences in the execution of their functions as delegates, as well as in respect to such facts. In respect also to the seizure of documents they have the same status as persons who are entitled by law to refuse to give evidence.

Any search or seizure may only be carried out within the prescincts of the Reichstag or a Land's Diet with the consent of their President.

Article 39.

Public officials (Beamte) and members of the defense forces need no leave for the performance of their functions as members of the Reichstag or a Land's Diet.

If they are candidates for a seat in one of these bodies, the necessary leave must be extended to them to enable them to prepare for their election.

Article 40.

Members of the Reichstag shall have free passes for all German railways and receive a compensation for expenses to be fixed by Reich law.

Third Chapter

The Reich President and the Reich Government

Article 41.

The Reich President is elected by the whole German people.

Every German who has completed his thirty-fifth year is eligible for election.

Details will be regulated by a Reich law.

Article 42.

The Reich President shall, on assuming office, take the following oath before the Reichstag.

I swear to devote my energies to the well-being of the German people, to further their interests, to protect them from injury, to keep the Constitution and the laws of the Reich, to fulfill my duties conscientiously and to administer justice to all.

It is permissable to add a religious asservation.

H1108 - 0047

Article 43.

The Reich President's term of office shall last seven years. Reelection is permissable.

At the request of the Reichstag the President may be deposed from office by plebiscite before his term has expired. A two-thirds majority vote is necessary for such a resolution by the Reichstag.

The resolution has the effect of suspending the Reich President from the further exercise of his office. If the deposition is rejected by the plebiscite, this is regarded as a new election and entails the dissolution of the Reichstag.

The Reich President cannot be prosecuted criminally without the consent of the Reichstag.

Article 44.

The Reich President may not at the same time be a member of the Reichstag.

Article 45.

The Reich President represents the Reich in the sphere of international law. He concludes alliances and other treaties with foreign powers in the name of the Reich. He accredits and receives Ministers (Gesandte).

War is declared and peace concluded by Reich law.

Alliances and treaties with foreign States which relate to matters within the legislative competence of the Reich, require the consent of the Reichstag.

Article 46.

The Reich President appoints and dismisses the public officials of the Reich and officers of the defense forces, unless otherwise provided by law. He may allow the right of appointment and dismissal to be exercised by other authorities.

Article 47.

The Reich President has supreme command (Oberbefehl) over all the defense forces of the Reich.

Article 48.

If a Land fails to fulfil the duties incumbent upon it according to the Constitution or the laws of the Reich, the Reich President can force it to do so with the help of the armed forces.

The Reich President may, if the public safety and order in the German Reich are considerably disturbed or endangered, take such measures as are necessary to restore public safety and order. If necessary he may intervene with the help of the armed forces. For this purpose he may temporarily suspend, either partially or wholly, the Fundamental Rights established in Articles 114, 115, 117, 118, 123, 124 and 153.

The Reich President shall inform the Reichstag without delay of all measures taken under Paragraph 1 or Paragraph 2 of this Article. On demand by the Reichstag the measures shall be repealed.

In case of imminent danger the government of any Land may take preliminary measures of the nature described in Paragraph 2 for its own territory. The measures are to be revoked upon the demand of the Reich President or the Reichstag.

Details will be regulated by a Reich law.

Article 49.

The Reich President exercises the right of pardon for the Reich.

Reich amnesties require a Reich law.

Article 50.

All orders and decrees (Anordnungen und Verfügungen) of the Reich President, including those concerning the defense forces, require for their validity the countersignature of the Chancellor of the Reich or the competent Minister of the Reich. By countersignature responsibility is assumed.

Article 51.

The Reich President shall, when prevented from functioning, be represented (vertreten) in the first place by the Reich Chancellor. When such disability is likely to be of long duration, a Reich law shall regulate the question of representation.

The same applies in the case of a premature termination of the Presidency until the new election takes place.

Article 52.

The government of the Reich shall consist of the Chancellor and the Reich Ministers.

Article 53.

The Reich Chancellor and at his proposal the Reich Ministers shall be appointed and dismissed by the Reich President.

Article 54.

The Chancellor and the Reich Ministers require for the exercise of their office the confidence of the Reichstag. Any of them must retire if the Reichstag by express resolution withdraws its confidence.

Article 55.

The Reich Chancellor presides over the government of the Reich and conducts its affairs according to rules of procedure laid down by the government of the Reich and approved by Reich President.

Article 56.

The Reich Chancellor determines the outlines (Richtlinien) of the policy of the State and is responsible to the Reichstag for the same. Within these outlines each Reich Minister conducts the office entrusted to him independently and on his own responsibility towards the Reichstag.

Article 57.

The Reich Ministers shall lay before the Reichstag for deliberation and enactment all bills and all matters for which such a course is prescribed in the Constitution or by law, as well as all differences of opinion in regard to questions within the competence of more than one Minister.

Article 58.

The government of the Reich passes its resolutions by majority vote. In the case of tie votes the chairman has a casting vote.

Article 59.

The Reichstag is entitled to impeach the Reich President, the Chancellor and Reich Ministers for having culpably violated the Constitution or a statute of the Reich before the Constitutional Court (Staatsgerichtshof). The motion for impeachment must be signed by at least one hundred members of the Reichstag and be approved by the majority prescribed for amending the Constitution.

Details will be regulated by the Reich statute concerning the Constitutional Court.

Fourth Chapter

The Reich Council

Article 60.

A Reich Council shall be constituted to represent the German Lands in the legislature and administration of the Reich.

Article 61.

Each Land has at least one vote in the Reich Council. In the case of larger Lands there shall be one vote for every 1,000,000 inhabitants. A surplus, which is equal to at least the population of the smallest land, will be reckoned equal to 1,000,000. No Land may be represented by more than two-fifths of the total number of votes.

German-Austria, after its union with the German Reich, shall be entitled to participate in the Reich Council with the number of votes proportionate to its population. Until then the representatives of German-Austria may take part in the deliberations.

The number of votes shall be fixed anew by the Reich Council after every general census.

Article 62.

No Land shall have more than one vote on the committees formed by the Reich Council from its own members.

Article 63.

The Lands shall be represented on the Reich Council by members of their governments. But half the Prussian votes shall belong to the Prussian provincial administrations in accordance with a Land law.

The Lands are entitled to send as many representatives to the Reich Council as they have votes.

Article 64.

The government of the Reich must convene the Reich Council on the demand of one-third of its members.

Article 65.

A member of the government of the Reich shall preside over the Reich Council and its committees. The members of the government of the Reich have the right and--if so demanded--the duty of attending the deliberations of the Reich Council and its committees. On their own request they must during the proceedings at any time be heard.

Article 66.

The government of the Reich and each member of the Reich Council are entitled to lay proposals before the Reich Council.

The Reich Council regulates its procedure by rules of procedure (Geschäftsordnung).

The plenary sittings of the Reich Council are public. In compliance with the rules of procedure the public may be excluded for specific subjects of deliberation.

Decisions are taken by a simple majority of those voting.

Article 67.

The Reich Council shall be kept informed by the Reich ministries of the conduct of affairs of the Reich. The competent committees of the Reich Council shall be consulted by the ministries of the Reich with regard to important affairs.

Fifth Chapter

Reich Legislation

Article 68.

Bills are introduced by the government of the Reich or by members of the Reichstag.

Reich laws shall be enacted by the Reichstag.

H1108 - 0050

Article 69.

The introduction of bills by the government of the Reich requires the consent of the Reich Council. If no agreement is reached between the Reich government and the Reich Council, the Reich government may introduce the bill notwithstanding, but must state the contrary opinion of the Reich Council.

If the Reich Council resolves on a bill not assented to by the government of the Reich, the latter must introduce the bill to the Reichstag, stating its own point of view.

Article 70.

The Reich President shall promulgate (ausfertigen) all constitutionally enacted laws and proclaim them in the Reich's Legal Gazette (Reichsgesetzblatt) within one month.

Article 71.

Reich laws, unless they provide otherwise, come into force on the fourteenth day after the date on which the Reich's Legal Gazette is published in the capital of the Reich.

Article 72.

The proclamation of a Reich law shall be postponed for two months on the demand of one-third of the Reichstag. Laws stated to be urgent by the Reichstag and the Reich Council may be proclaimed by the Reich President notwithstanding such demand.

H1108 - 0051

Article 73.

A law enacted by the Reichstag shall be made the subject of a referendum, if the Reich President so determines within a month.

A law, the proclamation of which has been postponed on the application of at least one-third of the members of the Reichstag, shall be subjected to a referendum, if one-twentieth of the persons qualified to vote so submit.

A referendum shall further be instituted if one-tenth of the persons qualified to vote initiate by petition the introduction of a bill. An elaborated bill must underlie such people's initiative. The bill shall be submitted to the Reichstag by the government together with a statement of its own point of view. No referendum shall take place if the petitional bill is passed unaltered by the Reichstag.

In regard to the budget, taxation laws and laws relating to pay and salaries, only the Reich President may inaugurate a referendum.

A Reich law shall regulate the procedure for referendum and initiative.

Article 74.

The Reich Council is entitled to raise an objection to laws passed by the Reichstag.

The objection must be submitted to the Reich government within two weeks following the final vote in the Reichstag and sustained by reasons at the latest within two further weeks.

When such objection has been raised, the law is again submitted to the Reichstag for redecision. If by this means no agreement is reached between the Reichstag and the Reich Council, the President may, within three months, order that a referendum be taken on the matter in dispute. If the President does not exercise this right, the law is considered not to have been passed.

If the Reichstag has passed the law in spite of the objection by the Reich Council by a two-thirds majority, then the President must either proclaim the same within three months in the form approved by the Reichstag or order a referendum to be taken.

Article 75.

A referendum can nullify an enactment of the Reichstag only if a majority of those qualified to vote take part in the vote.

Article 76.

The Constitution may be amended by law. But acts of the Reichstag amending the Constitution can only take effect if two-thirds of the legal number of members are present and at least two-thirds of those present consent. Resolutions of the Reich Council also require a two-thirds majority of the votes taken, when an amendment to the Constitution is in question. If on a popular initiative an amendment to the Constitution is to be decided by referendum, the consent of a majority of those qualified to vote is required.

If the Reichstag has passed an amendment to the Constitution in spite of an objection on the part of the Reich Council, the President may not proclaim such law, if within two weeks the Reich Council demands a referendum.

Article 77.

Unless otherwise provided by law the Reich government shall issue the general administrative provisions (Verwaltungsvorschriften) necessary for putting into execution the laws of the Reich. The approval of the Reich Council is required when the execution of the Reich laws is within the competence of the authorities of the Lands.

Sixth Chapter

Reich Administration

Article 78.

The cultivation of the relations with foreign States is exclusively a function of the Reich.

With regard to matters the regulation of which is within the competence of the Lands' legislature, the Lands may conclude treaties with foreign States; such treaties require the approval of the Reich.

Agreements with foreign States relating to any alteration of the boundaries of the Reich are concluded by the Reich, after the consent of the Lands concerned has been obtained. Such boundary alterations may only be undertaken on the basis of a Reich law, unless it is simply a case of adjusting the boundaries of uninhabited districts.

All arrangements and measures necessary for safeguarding the interests of individual Lands arising out of their particular economic relations with or their proximity to foreign States shall be undertaken by the Reich in agreement with the Lands concerned.

Article 79.

The defense of the Reich is a function of the Reich. The defense organization of the German people shall be uniformly regulated by Reich law with due regard to special peculiarities of the inhabitants of the different Lands.

Article 80.

Colonial matters belong exclusively to the competence of the Reich.

H1108 - 0053



Article 81.

All German commercial vessels constitute one single merchant marine.

Article 82.

Germany constitutes one single customs and trading area surrounded by a customs frontier.

The customs frontier coincides with Germany's foreign frontier line. At the sea the shore of the mainland and of the islands belonging to the territory of the Reich form the customs boundary. Deviations may be ordered for the course of the boundary line along the sea and other waters.

Foreign territories or parts of territories may be joined to the customs area by means of international treaties or agreements.

Portions may be excluded from the customs area to meet particular necessities. In the case of free ports (Freihäfen) such exclusion can only be repealed by a law amending the Constitution.

Districts excluded from the customs area may be joined to a foreign customs area by means of international treaties or agreements.

All products of nature and industry and art which are freely traded within the Reich may be transported over the boundaries of the Lands and Communes into, out of, and through them. Exceptions may be allowed by Reich law.

Article 83.

Customs duties and consumption taxes are administered by the authorities of the Reich.

The authorities of the Reich, when administering taxes of the Reich (Reichsabgaben), shall take steps to enable the individual Lands to safeguard their own particular interests in regard to agriculture, trade, commerce and industry.

Article 84.

The Reich shall provide by law for:

1. the institution of a tax administration of the Lands, insofar as is necessary for the uniform and equal execution of the Reich taxation laws

2. the institution and powers of the authorities entrusted with the supervision of the execution of the Reich taxation laws

3. the accounting with the Lands

4. the reimbursement of the costs of administration in executing the Reich taxation laws.

Article 85.

All revenues and expenditure of the Reich must be estimated for every fiscal year and entered in the budget (Haushaltsplan).

The budget shall be passed by law before the beginning of the fiscal year.

Appropriations are as a rule made for one year; in special cases they may be granted for a longer period. Other provisions in the budget law which legislate for a period beyond the fiscal year, or which have no reference to the revenues or expenditure of the Reich, may not be incorporated in the budget law.

The Reichstag may not increase existing or incorporate new appropriations in the budget bill without the consent of the Reich Counci.

The consent of the Reich Council may be replaced as provided in Article 74.

Article 86.

The Reich Minister of Finance shall, in the course of the year, account to the Reich Council and the Reichstag for the expenditure of all the revenues of the Reich for the preceding year in order to release the government of the Reich from its responsibility. The auditing of this account shall be regulated by Reich law.

Article 87.

Funds may only be obtained by loans in the case of extraordinary requirements and, as a rule, only for the purpose of productive outlay. A Reich law is required for this method of procuring funds as well as for the creation of a charge on the Reich by way of security.

Article 88.

The post and telegraph as well as the whole telephone system are exclusive functions of the Reich.

Postage stamps are uniform for the whole Reich.

Treaties relating to communications with foreign countries may only be concluded by the Reich.

Article 89.

It is a function of the Reich to take over the ownership of railways serving as means of general traffic and to operate them as a uniform system of communications.

The rights of the Lands to acquire private railways shall be transferred to the Reich on demand.

Article 90.

With the transfer of the railways the Reich acquires the right of expropriation and the sovereign state rights (die Staatlichen Hoheitsrechte) of the Lands over the railway systems. The extent of these rights shall be decided in the case of conflict by the Constitutional Court.

Article 91.

With the approval of the Reich Council the government of the Reich shall issue all decrees relating to the construction of railways, their operation and traffic. With the consent of the Reich Council the government may transfer this right to the competent Reich Minister.

Article 92.

The railways of the Reich, although their budget and accounts are incorporated in the general budget and accounts of the Reich, shall be operated as an independent economic enterprise, with the duty of defraying its own expenditure including interest on and amortization of the railway reserve fund. The amount of the amortization and the reserve fund, and the purposes for which the latter is to be utilized shall be regulated by an especial law.

H1108 - 0054

H1108 - 0055



Article 93.

The government of the Reich with the consent of the Reich Council shall establish advisory councils for the railways of the Reich to assist in an advisory capacity in matters relating to railway traffic and rates.

Article 94.

Once the Reich has taken over the administration of the railroads serving the general traffic of a particular district, new railroads serving general traffic may not be constructed within such district except by or with the consent of the Reich. When new railroad systems or alterations in those already existing are so projected as to fall within the police competence of any Land, the Reich railroad administration shall consult the Land authorities before the decision is taken.

Whenever the Reich has not yet taken over the administration of the railroads, it may construct such railroads on its own account as are deemed necessary for general traffic or for national defense by virtue of a Reich law, even against the protest of the Lands whose territory is to be traversed, but without prejudice to the sovereign rights (Landeshoheitsrechte) of the Lands; or the Reich may entrust another with the execution of such construction, together with the right of expropriation, if necessary.

All railroad administrations must permit the junction of other lines at the latter's expense.

Article 95.

Railways of general traffic not administered by the Reich shall be supervised by the Reich.

Railways under the supervision of the Reich shall be constructed and equipped according to uniform principles determined by the Reich. They must be kept in safe working order and developed as traffic requirements dictate. Service and equipment for passenger and freight traffic shall be maintained in accordance with their requirements.

The supervision of railway rates shall be directed to securing non-discriminatory and moderate charges.

Article 96.

All railways, including those not serving as means of general traffic, must comply with any demands of the Reich for their utilization for the purpose of national defense.

Article 97.

It is the duty of the Reich to take over the ownership and administration of waterways serving the general traffic.

After they have been taken over, waterways serving the general traffic may only be constructed or developed by the Reich or with its consent.

In the administration, development or construction of waterways, the requirements of land and water economy must be safeguarded in agreement with the Lands. Their improvement shall also be taken into consideration.

Every adminstration of waterways must permit the connection of their own with other inland waterways at the expense of the promoter. The same obligation holds for the construction of a connection between inland waterways and railways.

With the transfer of waterways the Reich acquires the right of expropriation, the control of rates and the police survey over the waterways and navigation.

The duties of the river conservancies in respect to the development of the natural waterways in the Rhine, Weser, and Elbe districts shall be taken over by the Reich.

Article 98.

Advisory councils to cooperate in matters concerning Reich waterways shall be formed in compliance with detailed provisions to be issued by the Reich government with the approval of the Reich Council.

Article 99.

On natural waterways charges (Abgaben) may only be collected for such works, plants and other institutions as are designed to facilitate traffic. In the case of Lands and communal institutions they may not exceed the necessary costs, for construction and upkeep. The construction and maintenance costs of institutions not exclusively devoted to the facilitation of traffic but also destined for the furtherance of other purposes, may only be raised in a proportionate degree by shipping charges. Interest and sinking funds on the invested capital are included as costs of construction.

The provisions of the foregoing paragraph apply also to charges collected for artificial waterways and to works erected thereon and in harbors.

Within the sphere of inland navigation the entire cost of a waterway, a river basin or a system of waterways may be utilized for calculating the shipping charges.

These provisions apply equally to the floating of timber (Flösserei) on navigable waterways.

It is within the exclusive competence of the Reich to exact from foreign ships and their cargoes other or higher charges than from German ships and their cargoes.

Article 100.

In order to cover the cost of the maintenance and construction of inland navigation routes, contributions may also by levied by virtue of a Reich law from persons enjoying benefits from the construction of dams in other ways than by navigation, if more than one Land is involved, or the Reich bears the costs of construction.

Article 101.

It is the duty of the Reich to take over the ownership and administration of all marine signal stations, particularly lighthouses, lightships, buoys, floats, and beacons. After the Reich has taken them over marine signal stations may only be constructed or developed by the Reich or with its consent.

Seventh Chapter

The Judiciary (Rechtspflege)

Article 102.

Judges are independent and subject only to the law.

Article 103.

The ordinary judiciary (Ordentliche Gerichtsbarkeit) consists of the Reich Supreme Court (Reichsgericht) and the courts of the Lands.

H1108 - 0056

Article 104.

The judges of the ordinary judiciary are appointed for life. Against their will they may only be permanently or temporarily suspended from office or transferred to another position or retired by virtue of a judicial decision and only for the reasons and in the form prescribed by law. The legislature may fix an age limit, on reaching which judges shall retire.

A temporary suspension from office as provided by law is not affected hereby.

If a change is effected in the organization of the courts or their districts the judicial administrative authorities of the Lands may order involuntary transfers to another court of removal from office, but only on full pay.

These provisions do not apply to commercial judges (Handelsrichter), lay judges (Schöffen), and jurors (Geschworenen).

Article 105.

Exceptional courts are prohibited. No one may be deprived of the right to be heard by his legally prescribed judge (Gesetzlicher Richter). The legal provisions concerning military courts and courts martial (Standgerichte) are not affected hereby. Military courts of honor are abolished.

Article 106.

Military jurisdiction shall be abolished except in time of war and on men-of-war. Details shall be regulated by a Reich law.

Article 107.

Both in the Reich and in the Lands administrative courts shall be established under the laws for the protection of individuals against decrees and orders of the administrative authorities.

Article 108.

A Constitutional Court shall be established for the German Reich in accordance with a Reich law.

SECOND PART

FUNDAMENTAL RIGHTS AND DUTIES OF THE GERMANS

First Chapter

The Individual Person

H1108 - 0057

Article 109.

All Germans are equal before the law.

In principle men and women have the same civil rights and duties.

Public-legal privileges or disadvantages of birth or of rank are to be abolished.

Titles of nobility shall be regarded merely as part of the name, and may no longer be bestowed.

Titles may only be bestowed when they indicate an office or profession; academic degrees are not affected hereby.

Orders and decorations may not be conferred by the State.

No German may accept titles or orders from a foreign government.

Article 110.

Citizenship of the Reich and the Lands is acquired and lost in accordance with the provisions of a Reich law. Every citizen of a Land is at the same time a citizen of the Reich.

Every German has in every Land of the Reich the same rights and duties as the citizens of that Land.

Article 111.

All Germans enjoy liberty of travel and residence throughout the whole Reich. Everyone has the right (Freizügigkeit) to sojourn and settle in any place within the Reich, to acquire real estate and to pursue any means of livelihood. Restrictions require a Reich law.

Article 112.

Every German is permitted to emigrate to a foreign country. Emigration may only be restricted by a Reich law.

All citizens of the Reich within and without the territory of the Reich are entitled to the protection of the Reich in relation to foreign countries.

No German may be surrendered to a foreign government for prosecution or punishment.

Article 113.

No laws or administrative orders may prejudice in their free and characteristic development the elements of the population of the Reich whose mother tongue is other than German, especially in regard to the use of their mother tongue in schools, in matters of internal administration, and the administration of justice.

Article 114.

The freedom of the person is inviolable. Curtailment or deprivation of personal freedom by a public authority is only permissible on a legal basis.

Persons who have been deprived of their freedom must be informed at the latest on the following day by whose authority and for what reasons the deprivation of freedom was ordered; opportunity shall be afforded them without delay of submitting objections to their deprivation of freedom.

Article 115.

Every German's home is his sanctuary and is inviolable. Exceptions may only be made as provided by law.

Article 116.

An act can only be punishable if its penalty was fixed by law before the act was committed.

Article 117.

The secrecy of letters and all postal, telegraphic and telephone communications is inviolable. Exceptions are inadmissable except by Reich law.

Article 118.

Every German has the right, within the limits of the general laws, to express his opinions freely in speech, in writing, in print, in picture form or in any other way. No conditions of work or employment may detract from this right and no disadvantage may accrue to him from any person for making use of this right.

Censorship is forbidden, but in the case of moving pictures deviations from this rule may be established by law. Legal provisions are also admissable for combating pornography and obscene publications (Schund und Schmutz Literatur) and for the protection of young persons at public plays and entertainment.

## Second Chapter

## The General Welfare (Gemeinschaftsleben)

### Article 119.

Marriage as the cornerstone of family life and the preservation and increase of the nation is placed under the special protection of the Constitution. It is based on the equal rights of both sexes.

It is the duty of the State and the Communes to foster the purity, health, and social advancement of the family. Families with numerous childred have a claim to proportionate assistance.

Motherhood has a claim to the protection and care of the State.

### Article 120.

To provide their children with a thorough physical, spiritual, and social education is the supreme duty and natural right of parents, whose activities shall be supervised by the State.

### Article 121.

The same conditions shall be created by law for the physical, spiritual and social development of illegitimate as for legitimate children.

### Article 122.

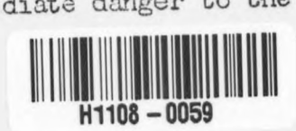
Youth shall be protected against exploitation and also against neglect of their moral, mental or physical well-being. The States and Communes shall make the necessary arrangements.

Compulsory measures for their welfare may only be ordered on the basis of law.

### Article 123.

All Germans have the right to assemble peacefully and unarmed without giving notice and without special permission.

A Reich law may make previous notification obligatory for assemblies in the open air, and may prohibit them in the case of immediate danger to the public safety.




### Article 124.

All the Germans have the right to form associations or societies for purposes not contrary to criminal law. This right may not be curtailed by preventive measures. The same provisions apply to religious associations and societies.

Every association may become incorporated (Erwerb der Rechtsfähigkeit) according to the provisions of the civil law. The right may not be refused to any association on the grounds that its aims are political, social-political or religious.

### Article 125.

The liberty and secrecy of the vote is guaranteed. Details shall be regulated by election laws.

Article 126.

Every German has the right to address requests or complaints in writing to the competent authorities or to the people's representatives. This right may be exercised individually or by several persons collectively.

Article 127.

Communes and communal unions have the right of self-administration (Selbstverwaltung) within the limits of the law.

Article 128.

All citizens without distinction shall be eligible for public office in accordance with the laws and according to their capabilities and achievements.

All provisions discriminating against women are abolished.

The principles governing the legal status of the public officials shall be regulated by Reich law.

Article 129.

Public officials shall be appointed for life, unless otherwise provided by law. Pensions for retired officials or the surviving dependents of deceased officials shall be regulated by law. The vested rights (Wohlerworbene Rechte) of public officials are inviolable. Legal steps may be taken by public officials for pecuniary claims.

Public officials may be only temporarily suspended from office, temporarily or permanently relieved or transferred to a different office with a lower salary on the conditions and in the form provided by law.

In every case where a disciplinary sentence is pronounced the way must be open for appeal and a new trial. Entries unfavorable to a public official may not be made in his official record until opportunity has been afforded him of expressing his own view of the facts. Public officials shall be permitted to inspect their official records.

The inviolability of vested rights and the competence of the civil courts to adjudicate pecuniary claims are also assured particularly to the regular soldiers (Berufssoldaten). In other respects their position shall be regulated by Reich law.

Article 130.

Public officials are servants of the whole community, and not of a party.

Liberty of political opinion and freedom to form associations is guaranteed to all public officials.

A Reich law shall provide in detail for the special representation of public officials.

Article 131.

If a public official in the execution of the official authority vested in him transgresses his official duty towards a third person, the State or the public body in whose service the officer is, is in principle held responsible. The right of recovery from the officer is reserved. Recourse to the ordinary civil courts may not be excluded.

Details shall be regulated by the competent legislature.

Article 132.

It is the duty of every German to accept honorary offices in accordance with the laws.

Article 133.

It is the duty of all citizens to render personal services to the State and the Commune in accordance with the laws.

The duty of military service (Wehrpflicht) is determined by the provisions of the Reich Defense Law. This shall also stipulate how far single Fundamental Rights of the Constitution shall be restricted in respect to members of the defense forces, in the interest of the fulfilment of their tasks and the maintenance of discipline.

Article 134.

All citizens without distinction contribute to all public burdens in proportion to their means and in accordance with the laws.

Third Chapter

Religion and Religious Associations

Article 135.

All inhabitants of the Reich enjoy full religious and conscientious freedom. The undisturbed exercise of religion is guaranteed by the Constitution and is under state protection. The general state laws are unaffected hereby.

Article 136.

Civil and civic rights and duties are neither contingent upon nor limited by the exercise of religious freedom.

The enjoyment of divil and civic rights and the eligibility for public office are independent of religious belief.

Nobody is obliged to reveal his religious conviction. The authorities are only entitled to ask questions concerning adherence to a religious body insofar as rights and duties are dependent thereon or in pursuance of statistical inquiries prescribed by law.

No one may be compelled to attend any church service or ceremony or to participate in religious exercises, or to take oath in religious form.

Article 137.

There is no State Church.

Freedom to form religious societies is guaranteed. The combination of religious societies within the territory of the Reich is subject to no restrictions.

Every religious society regulates and administers its affairs independently, within the limits of the law, applicable to all. It appoints its officers without the cooperation of the State or the civil community.

Religious societies become incorporated (Erwerben die Rechtsfähigkeit), in accordance with the general provisions of civil law.

Religious societies remain bodies of public law (Körperschaften des öffentlichen Rechts) of this has been their status hitherto. Similar rights shall be granted to other religious societies on their application, if their constitution and the number of their members offer a guarantee of permanency. If several such religious societies as are public bodies unite, this union is also a public body.

Such religious societies as are public bodies are entitled to levy taxes on the basis of the civil tax-roll in accordance with the laws of the respective Lands.

Associations devoted to the common cultivation of a philosophy of life (Weltanschauung) are placed on the same footing as religious societies.

Insofar as the execution of these provisions requires more detailed regulation, this is within the competence of the Lands' legislatures.

Article 138.

State contributions to religious societies based on laws, contract or special legal titles shall be commuted by Lands legislation. The Reich shall establish the principles therefor.

Property and other rights of religious societies and associations in their institutions, foundations, and other properties for cultural, educational, and charitable purposes are guaranteed.

Article 139.

Sundays and public holidays recognized by the State remain under legal protection as days of rest and spiritual edification.

Article 140.

Members of the defense forces shall be allowed the necessary free time for performing their religious duties.

Article 141.

Insofar as there is need for divine service and spiritual consolation in the army, in hospitals, prisons or other public institutions, the religious societies shall be permitted to perform the religious offices, but all compulsion shall be avoided.

Fourth Chapter

Education and the Schools

Article 142.

Art and science and the teaching thereof are free. The State guarantees them protection and takes part in their cultivation.

Article 143.

The education of young persons shall be provided for by means of public institutions. The Reich, Lands and Communes shall cooperate in their establishment.

The training of teachers shall be regulated uniformly for the whole Reich according to the generally recognized principles of higher education.

Teachers in public schools have the rights and duties of state officials.

Article 144.

The whole school system is under the supervision of the State, which may cause the Communes to participate therein. The supervision of schools is exercised by trained expert officials as their occupation-in-chief.

Article 145.

Attendance at school is universily obligatory.

In principle this duty is fulfilled by attending an elementary school for at least eight school years and a connected continuation school (Fortbildungschule) until the completion of the eighteenth year. Instruction and school supplies are supplied free of charge in the elementary and continuation schools.

Article 146.

The system of public schools shall be organically developed. The intermediate and secondary school system shall built upon the basis of common elementary schools. This system shall be determined by the needs of all kinds of vocations, and for the reception of a child into a particular school, his abilities and inclination shall be the deciding factor, not the economic and social status or the religious confession of his parents.

Within the Communes, however, on the petetion of parents and guardians, popular schools professing their own faith or philosophy of life shall be established, insofar as this does not interfere with an organized school system in the sense, also, of Paragraph 1, supra. As far as possible the will of parents and guardians shall be taken into consideration. Details shall be regulated by Lands legislation based on principles prescribed by a Reich law.

Public funds shall be provided by the Reich, Lands and Communes to make the intermediate and secondary schools available for those possessed of restricted means; in particular shall there be educational grants for the parents for the parents of children looked upon as suitable subjects for instruction in intermediate and secondary schools until their schooling is completed.

Article 147.

Private schools as substitutes for public schools require the approval of the State and are subject to the laws of the Lands. Approval shall be granted when the private schools are not inferior to the public schools as regards their instructional aims and equipment and the scientific training of the teachers, and a separation of the pupils according to the wealth of their parents is not encouraged. The approval shall be refused if the economic and legal position of the teachers is not sufficiently assured.

Private elementary schools shall only be admitted when for those parents or guardians whose wishes are to be regarded under Article 146, Paragraph 2, no public elementary school of their faith or philosophical persuasion exists in their Commune, or if the educational administrative authorities recognize the existence of a particular educational need.

Private preparatory schools shall be abolished.

The existing law shall continue to apply to private schools not serving as substitutes for public schools.

Article 148.

In all schools moral training, a sense of civic responsibility, personal and vocational efficiency in a spirit of national German feeling and international conciliation shall be aimed at.

Care shall be taken that instruction in public schools shall not hurt the feelings of those who differ in opinion.

Civics and manual training form part of the school curriculum. On completing his obligatory schooling every pupil shall receive a copy of the Constitution.

Popular education including popular universities shall be developed by the Reich, Lands and Communes.

Article 149.

Religious instruction forms part of the ordinary school curriculum except in the non-confessional (secular) schools; its form will be regulated by the laws relating to schools. Religious instruction shall be given in conformity with the principles of the religious society concerned, without prejudice to the State's right of supervision.

The imparting of religious instruction and the performance of religious acts is left to the decision of the teacher, while the participation in religious lessons, acts, and ceremonies is a matter for the decision of those who have the right to determine the religious education of the child.

The theological faculties in the universities shall be maintained.

Article 150.

Artistic, historical, and natural monuments and scenery enjoy the protection and care of the State.

It is a function of the Reich to prevent German art treasures from passing to foreign countries.

Fifth Chapter

The Economic Life

Article 151.

The regulation of economic life must be compatible with the principles of justice, aiming at the attainment of humane conditions of existence for all. Within these limits the economic liberty of the individual shall be assured.

Legal compulsion is only admissible for the realization of threatened rights or in the service of preponderant requirements of the common welfare.

Freedom of trade and commerce is guaranteed on the basis of the Reich laws.

Article 152.

As far as the laws allow, there shall be freedom of contract in business intercourse. Usury (Wucher) is prohibited. Legal transactions contra bonos mores are invalid.

Article 153.

Property is guaranteed by the Constitution. Its content and limits are defined by the laws.

Expropriation can only take place for the public benefit and on a legal basis. Adequate compensation shall be granted, unless a Reich law orders otherwise. In the case of dispute concerning the amount of compensation, it shall be possible to submit the matter to the ordinary civil courts, unless Reich laws determine otherwise. Compensation must be paid if the Reich expropriates property belonging to the Lands, Communes, or public utility associations.

Property carries obligations. Its use shall also serve the common good.

Article 154.

The right of inheritance is guaranteed according to the civil code.

The share of the State in inherited property is determined by the laws.

Article 155.

The distribution and utilization of the land shall be supervised by state authorities in a manner to prevent abuse and with the object of ensuring a healthy dwelling to every German and to all German families, especially those with numerous children, living and working quarters in accordance with their needs. War veterans shall be particularly considered in the enactment of homestead laws.

Real estate, the acquisition of which is necessary for housing purposes, for the promotion of settlements and land cultivation or to improve agriculture, may be expropriated. All entails (Fideikommisse) shall be dissolved.

The cultivation and utilization of the soil is a duty owed by the landowner to the community. An increase in the value of land, which arises without the expenditure of work or capital on the property, shall be utilized for the common benefit.

All treasures of the soil and all natural forces of economic utility are under the supervision of the State. Private mining rights (Regale) shall be transferred to the State by legislation.

Article 156.

The Reich may, without prejudice to the right of compensation, by law transfer to public ownership private economic enterprises suitable for socialization, applying thereby analogously the regulations relating to expropriation. The Reich may allot to itself, the Lands or the Communes a share in the administration of economic enterprises and associations or secure to itself a controlling influence therein in some other way.

The Reich may also in case of urgent necessity for socioeconomic interests, by law effect a combination of economic enterprises and associations on the basis of self-administration with the object of securing the cooperation of all working elements of the population, of allowing employers and employees a share in the management and regulating the production, fabrication, distribution, utilization, price fixing, and the importation and exportation of economic goods according to the principles of national economy.

The cooperative industrial and economic associations and their unions (Erwerbs- und Wirtschaftsgenossenschaften) shall at their request be incorporated in the socialized economic system, their constitution and peculiarities being thereby taken into consideration.

Article 157.

The ability to work is under the special protection of the Reich.

The Reich shall create a uniform labor law.

Article 158.

Intellectual labor, the rights of the author, the inventor, and the artist enjoy the protection and care of the Reich.

Recognition and protection in foreign countries also shall be secured to German science, art and technic by means of international agreements.

Article 159.

Freedom of association for the preservation and promotion of labor and economic conditions is assured to everyone and to all vocations. All agreements and measures attempting to restrict or restrain such freedom, are unlawful.

Article 160.

Persons working as employees or laborers are entitled to the leave necessary for the exercise of their civic rights and, insofar as the enterprise is not materially damaged thereby, for performing the duties attached to public honorary offices entrusted to them. The law shall determine to what extent they retain their right to remuneration.

H1108 - 0065

Article 161.

For the maintenance of health and capacity to work, for the protection of maternity, and for provision against the economic consequences of age, infirmity, and the vicissitudes of life, the Reich shall organize a comprehensive system of insurance, in which the insured persons shall cooperate to a considerable extent.

Article 162.

The Reich shall endeavor to obtain an interstate regulation of the legal status of laborers which shall have as its object the establishment of a general minimum standard of social rights for all working classes of mankind.

Article 163.

Every German has, without prejudice to his personal liberty, the moral duty to utilize his intellectual and physical powers in the interest of the general welfare.

The opportunity of earning his living by economic work shall be afforded to every German. Insofar as suitable work cannot be found for him, he shall be provided with the necessary support. Details shall be regulated by special Reich laws.

Article 164.

The interests of the independent middle classes in agriculture, industry and commerce shall be promoted by legislation and administration and protected from oppression and absorption.

Article 165.

Laborers and employees are called upon to take part on equal terms and together with the employers in regulating conditions of work and wages and also in the general economic development of productive forces. The organizations on both sides and agreements between them shall be recognized.

Laborers and employees shall be legally represented on the Workmen's Councils of the Enterprise, as well as in the District Workmen's Councils (Bezirksarbeiterräten) organized for each economic area and on a Reich Workmen's Council (Reichsarbeiter Rat).

The District Workmen's Councils and the Reich Workmen's Council shall combine with the representatives of the employees and other interested elements of the population to form District Economic Councils (Bezirkswirtschaftsräte) and a Reich Economic Council (Reichswirtschaftsrat) for the purpose of performing all economic tasks and of cooperating in carrying out the socialization laws. The District Economic Councils and the Reich Economic Council shall be so constituted that all important vocational groups are represented thereon in accordance with their economic and social importance.

Social-political and political-economic bills of basic importance shall be submitted to the opinion of the Reich Economic Council by the government of the Reich before being introduced. The Reich Economic Council has itself the right to propose the introduction of such bills. If the government of the Reich does not approve them, it must nevertheless introduce such bills to the Reichstag, stating its own point of view. The Reich Economic Council may have the bill supported in the Reichstag by one of its own members.

Supervision and administrative powers may be conferred on the Workmen's and the Economic Councils within their own spheres of work.

The regulation of the organization and tasks of the Workmen's and the Economic Councils as well as their relation to other social self-governing bodies is exclusively a function of the Reich.

## Transitional and Concluding Provisions

### Article 166.

Until the establishment of the Reich Administrative Court (Reichsverwaltungsgericht) the Reich Supreme Court shall take its place in the formation of the Election Investigation Court (Wahlprüfungsgericht).

### Article 167.

Article 18, sect. 3 to 6 are valid 2 years after announcement of the Reichs Constitution.

### Article 168.

Until, - but only for a year - the Landlaw, considered in Article 63 is issued, all prussian votes in the Reichsrat can be given by the members of the Cabinet.

### Article 169.

The Reichs Cabinet, will set the date, when Article 83, sect. 1, becomes valid.

### Article 170.

The postal - and telegraph agencies of Bavaria and Würtenberg, will be taken over by the Reich on 1 April 1921 the latest.

If, on 1 Oct 1920, no agreement on the points of the taking over has been reached, the supreme constitutional court will decide.

Until the taking over, the present rights and duties of Bavaria and Würtenberg are in force. The postal and telegraph traffic with neighboring states of foreign countries, will be regulated by the Reich.

### Article 171.

The State Railroads, Waterways and sea-marks (Seezeichen) will be taken over by the Reich on April 1, 1921, the latest.

If on 1 Oct 1920 no agreement on the points of the taking over, has been reached, the Supreme Constitutional Court will decide.

### Article 172.

Until the Reich law concerning the Supreme Constitutional Court comes into force, a Senate shall exercise its powers; this Senate shall consist of seven members of which four are chosen by the Reichstag from its own members and three by the Supreme Court of the Reich from its own members. The Senate shall regulate its own procedure.

### Article 173.

Until the enactment of a Reich law according to Article 138 the present state contributions to religious societies based on laws, contracts or special legal claims shall be continued.

### Article 174.

Until the enactment of the Reich law provided in Article 146, Paragraph 2, the present legal situation shall continue. The law shall take into particular consideration those districts of the Reich in which a school where no distinction of creeds is made is established by law.

H1108 - 0067

Article 175.

The provision of Article 109 does not apply to orders and decorations to be conferred for merit in the war years 1914-1919.

Article 176.

All public officers and members of the defense forces shall take the oath upon the Constitution. Details shall be regulated by an order of the Reich President.

Article 177.

Where in the existing laws the oath is prescribed in religious form, the oath shall be legally binding if the person taking the same, leaving out the religious formula, declares: "I swear." The content of the oath as prescribed in the laws remains otherwise unaltered.

Article 178.

The Constitution of the German Reich of April 16, 1871, and the laws of February 10, 1918, concerning the provisional government of the Reich, are repealed.

All other laws and orders of the Reich remain in force, insofar as this Constitution is not incompatible with them. The provisions of the Peace Treaty signed at Versailles on June 28, 1919, are not affected by the Constitution. With respect to the negotiations concerning the acquisition of the island of Helgoland a regulation in favor of its inhabitants may be made differing from that of Article 117, Paragraph 2.

Orders by the authorities which have been legally issued in conformity with the present laws, retain their validity until they are repealed by new orders of legislation.

Article 179.

Insofar as laws or orders refer to provisions and institutions which are repealed by this Constitution, the appropriate provisions and institutions of this Constitution shall take their place. In particular, the Reichstag shall take the place of the National Assembly, the Reich Council that of the State Committee (Staatenausschuss), the Reich President elected on the basis of this Constitution that of the Reich President elected on the basis of the law concerning the provisional government of the Reich.

The power, hitherto pertaining to the State Committee, of issuing executive orders is transferred to the government of the Reich, which requires therefor the approbation of the Reich Council in accordance with this Constitution.

Article 180.

Until the meeting of the first Reichstag the National Assembly shall function as Reichstag. The President of the Reich chosen by the National Assembly shall retain his office till 30 June 1925.

Article 181.

The German people have passed and adopted this Constitution by means of their National Assembly. It comes into force with the date of its proclamation.

Schwarzburg, 11 August 1919.

The Reich President

EBERT

The Reich Cabinet

BAUER

ERZBERGER HERMANN MÜLLER DR. DAVID NOSKE SCHMIDT
SCHLICKE GIESBERTS DR. MAYER DR. BELL

- - - - - - - - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2050-PS

24 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2050-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

H1108 – 0069

H1108 - 0070

TRANSLATION OF DOCUMENT 2224-PS
OFFICE OF U S CHIEF OF COUNSEL

Pages 1 and 2, Issue 381, 2 May 1933, of "NSK" or National-Sozialistische Partei-Korrespondenz" (National Socialist Party Press Agency), also termed "NSK, Pressedienst der NSDAP" (NSK, Press Service of the NSDAP) the official news agency of the NSDAP. Edited by Wilhelm Weiss. Responsible for communications of the Reich Press Office (Reichspressestelle) Dr. Otto Dietrich, Reich Press Chief (Reichspresse-Chef). Published by Franz Eher Successor, Munich.

## THE END OF THE MARXIST CLASS STRUGGLE

NSK. The Action Committee for the protection of German labor (teilt mit): reports:

On 1 May 1933 the entire German people has made a mighty profession of confidence to the new governmental leadership and to the German folk community. The greatest event of the day was the unanimous stand which the entire German working class in all its strata, in all levels and trades, has taken up, behind the government of Adolf Hitler. The flags of the new Reich, the symbols of the National Socialist uprising and of German socialism fluttered in the workers' districts of the cities just as on the farms, on factory smokestacks and on trade union headquarters, on state buildings and on homes in all German cities.

1 May 1933 was the death hour of Marxist class struggle. Workers from the factories, manual and intellectual workers, clerical employees - they all marched behind the swastika banner. The folk community is here the most splendid and exalted dream has become reality. The working masses have testified to their faith in National Socialism.

But as yet the trade associations of the German working class, the representative bodies of workers and employees were in the hands of Marxist leaders, who did not guide the German labor movement to the benefit of the working German people, but only considered it as the shock troop of their crazy international Marxist class-struggle ideology.

National Socialism, which today has assumed leadership of the German working class, can no longer bear the responsibility for leaving the men and women of the German working class, the members of the largest trade organization in the world, the German Trade Union movement, in the hands of people who do not know a fatherland that is called Germany. Because of that the National Socialist Factory Cell Organization (N.S.B.O.) has taken over the leadership of the trade unions. The N.S.B.O. has eliminated the old leadership of the Trade Unions of the A.G.D.B. (General German Trade UnionsLeague) and of the A.F.A. (General Independent Employees' Federation).

New German labor leaders have replaced senile and ward-heelers (verkalkte Bonzen). The proven pioneers of the National Socialist Factory Cell Organization (N.S.B.O.), who have fought to the limit for the rights of German labor from the beginning, have taken over the leadership of the trade union associations. That proves that the struggle of National Socialism is not directed against the trade union idea as such, but only against the bureaucratized leaderships, because they are the foes of the German labor movement. The old, painstakingly attained rights of the workers' and employees' associations will not be touched. On the contrary, the new National Socialist trade union leadership will make good the harm inflicted on the German working class by class struggle and internationalism.

On 2 May 1933 the National Socialist Factory Cell Organization (N.S.B.O.) took over the leadership of all trade unions, all trade union buildings were occupied and most stringent control has been organized (organisiert) over financial and personnel matters of the organizations.

The leadership of the Action Committee for the Protection of German Labor has been assumed by Party Member Dr. L e y, Deputy: S c h m e e r.

H1108 - 0071



The leadership of the General German Trade Union League has been taken over by Party Member Schumann. Party Member Muchow takes care of the fundamental questions of organization. Party Member Biallas is responsible for press and propaganda.

Party Member Peppler assumes leadership of the General Independent Employees' Federation (A.F.A.).

Party Member Müller assumes leadership of the "Bank for Workers, Employees and Civil Servants".

Auditing has been taken over by Party Member Brinkmann.

Berman workers and employees! Help us to build a new Germany of national liberty and socialist justice. Help to transform the trade unions to the media of fruitful work. Maintain discipline, then your work will be accompanied by success, to the benefit of the entire German people, but primarily of German workers and employees.

The new National Socialist trade union leadership will attempt to make good the damage done to the German working class by class struggle and internationalism. We appeal to the entire German people, to trade union members of all shades and associations.

Have confidence in the proven fighters of the National Socialist Factory Cell Organization!

Attempts at sabotage by unscrupulous mischief-makers will be avenged with the whole severity of the law. Comply with all future directives, it is a matter of your and your children's future!

Now to work!
Long live Socialism!
Long live Germany!

## WORKERS' CONGRESS IN BERLIN

NSK, Berlin, 2 May

The "National Socialist Party Press Agency" is informed that a great Workers' Congress will take place on Wednesday, 10 May, in the Prussian House of Lords in Berlin. The united front of German workers will be formed there. Adolf Hitler will be asked to assume the position of Honorary Patron.

---

## THE ACTION COMMITTEE WITH ADOLF HITLER

NSK. On Tuesday noon, at about two o'clock, the gentlemen of the Action Committee for the Protection of German Labor visited the Reich Chancellery under the leadership of Dr. R. Ley, in order to inform the Reich Chancellor of the accomplished coordination (Gleichschaltung) of the Free Trade Unions in line with the general political situation in Germany. Dr. Ley informed the Chancellor of the smooth course encountered by the project, the necessity of which was based on the attitude of the German working class itself, which had demanded an end to Marxist activity in the trade unions. The Action Committee then asked Adolf Hitler to become Honorary Patron of the Great Workers' Congress to take place within the next few weeks.

H1108 -0072



The Führer declared his readiness to assume this position of Honorary Patron and emphasized especially that he expected smooth execution of the various measures, so that especially from a financial point of view, the Purification Project (Reinigungsaktion) would result not only in no harm to the German worker, but exclusively in benefit. The Action Committee asserted that the settlement was taking place in complete peace and order, and could promise that as of tomorrow the payments of the institutions concerned w o u l d b e r e s u m e d t o t h e i r f u l l e x t e n t.

---

„ARBEITERTUM"-
OFFICIAL ORGAN OF THE A.D.G.B.
(GENERAL GERMAN TRADE UNION LEAGUE)

NSK, Berlin, 2 May

In consequence of the co-ordination (Gleichschaltung) of the Free Trade Unions, the organ of the National Socialist Factory Cell organizations (Nationalsozialistische Betriebszellenorganisation), "Das Deutsche Arbeitertum", has been designated as official organ of the A.D.G.B. In future "Arbeitertum" will appear weekly (instead of bi-weekly, as up to now) with a total circulation of about 4 m i l l i o n c o p i e s.

- - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2224-PS

22 October 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document 2224-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 2225-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Page 1, Issue 382, 3 May 1933, of "NSK" or National-Sozialistische Partei-Korrespondenz" (National Socialist Party Press Agency), also termed "NSK, Pressedienst der NSDAP" (NSK, Press Service of the NSDAP) the official news agency of the NSDAP. Edited by Wilhelm Weiss. Responsible for communications of the Reich Press Office (Reichspressestelle) Dr. Otto Dietrich, Reich Press Chief (Reichspresse-Chef). Published by Franz Eher Successor, Munich.

THE FRONT OF GERMAN WORKERS HAS BEEN ERECTED!

NSK. We have been informed by the leader of the Action Committee for the Protection of German Labor, Dr. L e y that the following organizations have unconditionally subordinated themselves to the leadership of Adolf Hitler and the directives of the Action Committee for the Protection of German Labor: C e n t r a l L e a g u e o f C h r i s t i a n T r a d e U n i o n s (Gesamtverband der Christlichen Gewerkschaften);; T r a d e U n i o n C i r c l e o f A s s o c i a t i o n s o f G e r m a n E m p l o y e e s, W o r k e r s a n d C i v i l S e r v a n t s (Gewerkschaftsring deutscher Angestellten, Arbeiter und Beamtenverbände) (Hirsch-Duncker); Trade Union League of Employees (G.D.A.), the R.D.A.; and other associations. Tomorrow negotiations (Verhandlungen) will begin with the German Nationalist Clerks' League (D.H.V.) as the last association. It is to be hoped that this organization, too, will discern the spirit of the times and integrate itself into the great undertaking.

For the first time in the German labor movement a concentration of all workers' and employees' associations would thus be reached and one of the greatest undertakings recorded in the history of the German working class brought to fruition.

We have been further informed by the leader of the Action Committee for the Protection of German Labor, Dr. L e y, that he intends now, after these associations have unconditionally and without reservation submitted to the NSDAP, to draft the positive and expert forces from these organizations for cooperation. This intention will already find expression at the great Workers' Congress, which will take place in Berlin next week.

- - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2225-PS

2 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. O-1335567, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a correct and true translation of Document No. 2225-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-1335567

TRANSLATION OF DOCUMENT 2226-PS
OFFICE OF U. S. CHIEF OF COUNSEL

From Page 2, Issue 383, 4 May 1933 of "NSK" or "NATIONALSOZIALISTISCHE PARTEIKORRESPONDENZ" (National Socialist Party Press Agency), also termed "NSK, Pressedienst der NSDAP" (NSK, Press Service of the NSDAP), the official news agency of the NSDAP. Edited by Wilhelm Weiss. Responsible for communications of the Reich Press Office (Reichspressestelle) Dr. Otto Dietrich, Reich Press Chief (Reichspressechef). Published by Franz Eher Successor, Munich.

## THE LABOR FRONT STANDS!

### THE GERMAN NATIONALIST CLERKS' (D.H.V.), TOO HAS JOINED.

NSK, Berlin, 4 May

All German trade union associations of all shades having recognized the leadership of the NSDAP in German trade union affairs, the German Nationalist Clerks' League (Deutschnationaler Handlungsgehilfenverband) has now too joined Adolf Hitler; the last big association to do so.

After a detailed conversation between the leader of the Action Committee for the Protection of German Labor, Dr. Ley, and the leadership of the German Nationalist Clerks' League (D.H.V.), integration of the D.H.V. into the German Labor Front was decided upon.

.....

H1108 - 0074

CERTIFICATE OF TRANSLATION OF
DOCUMENT NO. 2226-PS

22 October 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2226-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-1335567

OFFICE OF US CHIEF OF COUNSEL
TRANSLATION OF DOCUMENT 2228-PS

From Page 5, Issue 426, 26 June 1933, of "NSK" or "NATIONALSOZIALISTISCHE PARTEIKORRESPONDENZ" (National Socialist Party Press Agency), also termed "NSK, Pressedienst der NSDAP" (NSK, Press Service of the NSDAP), the official news agency of the NSDAP. Edited by Wilhelm Weiss. Responsible for communications of the Reich Press Office (Reichspressestelle) Dr. Otto Dietrich, Reich Press Chief (Reichspressechef). Published by Franz Eher Successor, Munich.

## ORDER ISSUED BY THE GERMAN LABOR FRONT

NSK. The leader of the Organizational Office of the German Labor Front, Party Member Muchow, has issued the following proclamation:

All associations and societies of workers and employees, which have not yet been concentrated (zusammengefasst) in the two big collective associations of workers and employees within the German Labor Front must report to the Organizational Office of the German Labor Front, Berlin SW 19, 34, Märkisches Ufer, within 8 days. The requisite documents about membership figures and other pertiment data must be enclosed. They will then be notified by the Organizational Office, which Association they will have to join (eingliedern).

---

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2228-PS

22 October 1945.

I, FRED NIEBERGALL, 2nd Lt, Inf. 0-133 55 67, hereby certify that I am thoroughly conversant with the German and English languages and that the above is a correct and true translation of Document No. 2228-PS.

FRED NEIBERGALL
2nd Lt., Inf.,
0-133 55 67.

H1108 - 0075

H1108 - 0076

OFFICE OF U. S. CHIEF OF COUNSEL
TRANSLATION OF DOCUMENT 2230-PS

The organization of the NSDAP and its affiliated association, Pages 484, 485b, and 486c of the Organization Book of the NSDAP (Organisation Buch der NSDAP) Edition of 1938, editor (Herausgeber): The Reichs Organization Leader of the NSDAP (Dr. Robert Ley). Published by the Central Publishing House of the NSDAP, Franz EHER, Successor, München.

AGREEMENT ENTERED INTO BETWEEN THE REICH LEADER OF THE GERMAN LABOR FRONT, PARTY MEMBER DR. LEY, AND THE CHIEF OF STAFF OF THE STORM TROOPS (SA), VIKTOR LUTZE, WITH REGARD TO THE FACTORY TROOPS (WERKSCHAREN).

1. The Factory Troop (WERKSCHAR) is the National Socialist backbone of the factory. Its task is to permeate the factory with the National Socialist philosophy. The factory troop is the carrier of the factory community and incarnates community life within the factory; it bears witness to these facts by its factory celebrations and festivals. It is in the forefront in carrying through the tasks of the German Labor Front. It is the living incarnation of these tasks.

2. The Storm Troops (SA) will promote the building-up of the factory troops with all means. Storm Troop (SA) units will maintain closest comradeship and connection with the factory troops, frequently visiting their meetings, and inviting the factory troops to their own meetings.

3. Factory troops are formed on a voluntary basis by Storm Troopers (SA-Maenner) in a factory and by other workers in the factory. The latter simultaneously become Storm Troop candidates (insofar as they are not already members of another formation of the Party).

4. Officers and men of the Storm Troops, who are working in the factory and are members of the German Labor Front, are to be made leaders of the Factory Troops. On the basis of previous agreements, the appointments take place in accordance with the ordinance of 10 January 1936 - Ch. Nr. 11150, as follows

a) in the case of the Reich Directorate of the German Labor Front, upon recommendation of the Supreme Storm Troop Command (OBERSTE SA-FUEHRUNG)

b) in the case of Districts (Gaue), upon recommendation of the SA-Group (GRUPPE)

c) in the counties, (Kreisen) upon recommendation of the SA-Standards (STANDARTEN)

d) within the factory, the factory troop leader is appointed by the County Factory Troop Leader, after consultation with the factory representative of the German Labor Front.

5. Special sections (Referate) for factory troops will be established at the headquarters of Storm Troop Groups, respectively Brigades, and of Standards. They are to be merged with the previous Special Sections for Social Work at Storm Troop Bureaus. The District respectively County Factory Troop Leaders are in charge of this Special Section. Simultaneously these Storm Troop leaders are to be charged by the regional commissioners (GEBIETSWALTER) with the leadership of the Department (Abteilung) factory troops in the German Labor Front. For disciplinary and personnel purposes they remain subordinate to their unit commanders.

The requisite financial means for the Special Sections are to be made available by the German Labor Front in accordance with agreements still to be reached.

6. Directives and regulations for commitment, and for the tasks to be accomplished within the factory, will be issued by the Reich Leader of the German Labor Front through factory troop channels (Reich factory troop leader; District factory troop leader; Count factory troop leader; Factory factory troop leader).

7. 4 to 5 week days a month are available to the factory troop for carrying through their tasks.

In the case of urgent tasks within the factory, and in the case of protective measures against natural catastrophes and preparatory service for large-scale political utilization of the German Labor Front factory troop service has priority over Storm Troop (SA) service.

8. Physical training will take place with Storm Troop (SA) cadre units.

9. The service Uniform for factory troops remains customary factory troop uniform for meetings within the factory as well as in parades of the German Labor Front.

Berlin, October 1936

The Chief of Staff of Storm Troops (SA)
(signed) Lutze

The Reich Leader of the German Labor Front
(signed) Dr. Ley

H1108 - 0077

---

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2230-PS

22 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-133 55 67, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a correct and true translation of Document No. 2230-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
O-133 55 67

TRANSLATION OF DOCUMENT 2270-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 NATIONALSOZIALISTISCHE PARTEI-KORRESPONDENZ, PAGES 1 AND 2

Issue 393, 16 May 1933, of "NSK" or "Nationalsozialistische Parteikorrespondenz" (National Socialist Party Press Agency), also termed "NSK, Pressedienst der NSDAP" (NSK, Press Service of the NSDAP); the official news agency of the NSDAP. Edited by Wilhelm Weiss. Responsible for communications of the Reich Press Office (Reichspressestelle) Dr Otto Dietrich, Reich Press Chief (Reichspressechef), Published by Franz Eher Successor, Munich.

## Coordination (Gleichschaltung) of Cooperatives

NSK. The Executive Secretaries of the Reich League of German Cooperatives (Reichsverband Deutscher Konsumvereine) have issued the following statement:

"The undersigned, legally competent executive secretaries of the Reich League of German Cooperatives, Cologne, and of the Gepag hereby submit themselves and all cooperatives affiliated to their League irrevocably and unconditionally to the command and administrative authority of the leader of the German Labor Front, Dr Robert LEY, and of Party Member Karl MUELLER, the Commissioner for Cooperatives appointed by him.

signed: Peter SCHLACK
signed: Reb. SCHLOESSER
signed: Fritz KLEIN "

H1108-0078

*

The Executive Secretaries of the Wholesale Purchasing League of German Cooperatives have issued the following statement:

"The undersigned, legally competent executive secretaries of the Wholesale Purchasing League of German Cooperatives, Inc., Hamburg, hereby submit themselves and all cooperatives affiliated to their League irrevocably and unconditionally to the command and administrative authority of the leader of the German Labor Front, Dr Robert LEY, and of Party Member Karl MUELLER, the Commissioner for Cooperatives appointed by him.

signed: H. EVERLING
signed: A. GRAHL "

*

Pursuant to these statements the leader of the German Labor Front has issued the following order:

As previously announced by Party Member Bank Director MUELLER on my behalf, the German Labor Front has today taken over the leadership of the cooperatives. The legally competent executive secretaries of the Wholesale Purchasing League of German Cooperatives, Inc., Hamburg, and of the Reich League of German Cooperatives, Cologne, have submitted unconditionally and unreservedly.

The Chief of the economic enterprises of the German Labor Front, Party Member Bank Director MUELLER, also assumes the management of the cooperatives. This action is being taken for the benefit of the German worker, in order to safeguard the savings of the masses here also, and in order not to permit the decay of the assets which the cooperatives hold for the benefit of the people.

The action in itself is a winding-up action, which means that their further extension will not be tolerated, that everything that is rotten and burdensome must be gotten rid of now in the shortest possible time, that in agreement with the representative organizations of the middle class an equitable settlement is being initiated now already. Offices of the NSDAP are requested

to shed their hostile attitude towards cooperatives, because they can rest assured that everything is being done by the leadership which profits the benefit of the people and the benefit of Germany.

Future organization of the cooperatives is as follows:

The two great Reich Leagues of cooperatives will become members of, and be merged into one Reich League. Great savings will thus be effected in administration.

As a matter of principle there will be no more voting in any organization, but the leader, Party Member Mueller, is appointed by me and he is authorized to appoint additional leaders of the individual regions and localities.

The Administrative Council, which is to help Party Member Mueller, will constitute the Executive Chamber (kleine Kammer); in addition a Plenary Chamber will be formed, so as to definitely clarify the relationship between the new corporate structure and the cooperatives, and to shape the winding-up more decisively and organically.

The leader of the German Labor Front

Dr. R. LEY

- - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2270-PS

24 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2270-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 2277-PS
OFFICE OF U.S. CHIEF OF COUNSEL

H1108 - 0080

Pages 185-187, Organization Book of the NSDAP (Organisationsbuch der NSDAP) Editions of 1936, 1938, 1940, & 1943 Editor ("Herausgeber") the Reich Organization Leader of the NSDAP (Dr. Robert Ley). Published by the Central Publishing House of the NSDAP, Franz Eher Successor, Munich.

---

## The N.S.B.O.

(Die Nationalsozialistische Betriebszellen-Organisation)
The National Socialistic Factory Cells Organization.

The NSBO is a union of the political leaders (Politischen Leiter) of the NSDAP in the DAF (German Labor Front.)

The NSBO is the carrier of the organization (Organisationstraeger) of the DAF.

The duties and responsibilities of the NSBO have passed over to the DAF.

The political leaders who have been transferred from the NSBO to the DAF guarantee the ideological education of the DAF in the spirit of the National Socialistic idea.

## The German Labor Front

## Including

## the NS Community "Strength through Joy ("Kraft Durch Freude")

## Decree of the Führer on the Nature and Goal of the German Labor Front, dated 24 October 1934.

### Nature and Goal

### Article 1

The German Labor Front is the organization of creative Germans of brain and fist.

In the main, the members of the former unions, the former employee unions and the former employer unions are united in it as members with equal rights.

Membership in the German Labor Front cannot be substituted by memberships in professional, social political, industrial or ideological organizations.

The Chancellor of the Reich can decree that class-organizations (Ständische Organisationen), which have been recognized by the law should belong corporatively to the German Labor Front.

### Article 2

The aim of the German Labor Front is to create a true social and productive community of all Germans. (Volks- und Leistungegemeinschaft).

Its task is to see that every single individual should be able to take his place in the industrial life of the nation in that intellectual or physical capacity which enables him to perform maximum work and thus guarantees a maximum of benefit for the community of the nation.

Article 3

The German Labor Front is a branch (Gliederung) of the NSDAP according to the Law for Securing the Unity of Party and State. (Gesetz zur Sicherung der Einheit von Partei und Staat) issued on 1 December 1933. (According to the law, issued 29 March 1935, the DAF will be designated as an affiliated organization (Verband) of the NSDAP. The editor)

Leadership and Organization

Article 4

The NSDAP has the leadership of the German Labor Front.

The Staff leader (Stabsleiter) of the Political Organization (PO) is the leader of the German Labor Front. He is assigned by the Führer and Reich Chancellor.

He assigns and dismisses the other leaders of the German Labor Front.

These posts should be given in the first place to members of the existing branches of the NSBO (National Socialist Factory Cells Organization). and of the NS-Hago (NS Handels- und Gewerkbetreibenden Organisation, or the National Socialist Organization of Tradesmen and Commercial Men) who are in the NSDAP, and further to members of the SA and SS.

Article 5

The regional organization of the German Labor Front corresponds to that of the NSDAP.

The aim toward an organic order as laid down in the program of the NSDAP determines the professional organization of the German Labor Front.

The staff leader (Stabsleiter) of the Political Organization (PO) determines the regional and professional organization of the German Labor Front; they will be published in the service book of the German Labor Front. (In the 1943 edition the following is added: ("Organization Book of the NSDAP").

Article 6

The accounts (Kassenfuehrung) of the German Labor Front are under the control of the treasurer of the NSDAP on the basis of the first executive decree to the law securing the unity of Party and State, issued 23 March 1934.

Tasks

Article 7

The German Labor Front has to secure the peace of labor by creating understanding among the factory leaders (Betriebsführern) for the justified claims of their following (Gefolgschaft) understanding among the following (Gefolgschaft) for the situation and possibilities of their factory.

The German Labor Front has the task to find the common basis between the justified interests of all participants which is in accordance with the national socialistic basic principles and which reduces the number of the cases which are to be referred to the State agencies alone in charge on the basis of the law of 20 January 1934.

It is the exclusive task of the German Labor Front to represent all the parties which are required for the conciliation. It is prohibited to create other organizations in this domain or to permit their activities in this field.

H1108 - 0082



Article 8

The German Labor Front is the carrier of the National Socialist Organization "Strength Through Joy" ("Kraft Durch Freude").

The German Labor Front has to provide for professional training.

Furthermore, it has to fulfill the tasks which have been assigned to it by the law of 20 January 1934.

Article 9

**The property of the former organizations as mentioned in Article 1 of this decree,** including their help and compensation organizations, property managements and industrial enterprises, constitute (bildet) the property of the German Labor Front. This property is the original capital for the self-help organization of the German Labor Front.

The German Labor Front, through its self-help organization, should guarantee the existence of each of its members in emergency cases in order to facilitate the progress of the most qualified Germans (Volksgenossen) or to help them to secure an independent life, if possible, on their own ground and soil.

Article 10

This order becomes valid on the day of its publication.

Berlin, 24 October 1934.

Führer and Reich Chancellor
Adolf Hitler

My decree, issued 24 October 1934 about the German Labor Front will be changed so that Article 4 will read as follows:

Leadership and Organization

Article 4

The NSDAP has the leadership of the German Labor Front. The Reich Organization Leader of the NSDAP is the leader of the German Labor Front. He is designated by the Führer and Reich Chancellor.

He designates and dismisses the other leaders of the German Labor Front.

These posts should be given in the first place to members of the branches NSBO and NS Hago who are in the NSDAP and further to members of the SA and SS.

Furthermore: In Article 5, Par. 3, the word "Staff Leader (Stabeleiter) of the PO" will be substituted by "Reich Organization Leader" of the NSDAP.

Berlin, November 12, 1934.

Führer and Reich Chancellor
Adolf Hitler

---

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2271-PS

5 November 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2271-PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

OFFICE OF U S CHIEF OF COUNSEL
TRANSLATION OF DOC. NO. 2275-PS

Footnote from page 11 of "Die deutsche Arbeitsfront. Wesen - Ziel - Wege", issued by the Scientific Labor Institute of the German Labor Front. Published by the Publishing House of the German Labor Front, 1943.

More than nine tenths of all working Germans are members of the German Labor Front. Shortly before the outbreak of war the German Labor Front had 23 million individual members in the then Reich territory. In addition there were corporate members (Korporative Mitglieder), the number of which can be estimated at 10 millions after eliminating all multiple memberships.

The members of such organizations are "corporatively" affiliated to the German Labor Front which have collectively joined the German Labor Front on the basis of special agreements. But the members of such organizations can nevertheless become individual members of the German Labor Front.

Among others the members of the following organizations are "corporative members of the German Labor Front: Reich Chamber of Culture; Reich Food Estate: Reich League of Graduate Farmers; Organization of Trade Economy; Experts' Council on Public Health; Attorneys' League; Reich League of German Civil Servants; National Socialist Teachers' League; Reich Labor Service; Armed Forces; Nurses' Associations. In other words, practically all important professional or economic organizations have led their members into the German Labor Front.

---

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2275-PS

H1108 - 0083

23 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-133 55 67, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a correct and true translation of Document No. 2275-PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-133 55 67.

OFFICE OF U S CHIEF OF COUNSEL
TRANSLATION OF DOC. NO. 2276-PS

From p. 55 of "Die deutsche Arbeitsfront. Wesen - Ziel - Wege", issued by the Scientific Labor Institute of the German Labor Front. Published by the Publishing House of the German Labor Front, 1943.

During the years from 1933 to 1939 everything necessary had been done in secrecy (in aller Stille) that seemed necessary to the conservation of the nation in the anticipated clash with an envious surrounding world. As always when taking precautionary defensive measures on a newly-won field, it was not possible here either to plan in a way that would be satisfactory. It was necessary to check what was on hand, and build with that the most essential and the momentarily most useful. It could not be obviated that the result, measured with the yardstick of what had been planned for the future, would appear modest and perhaps even inadequate.

It has not always been simple for those charged with practical social work to satisfactorily master the juxtaposition of old, scantily mended institutions and new ones. But certainly it was even more difficult for the biggest part of the people to see how the effort supported by it was, year after year, applied to tasks which initially necessitated renunciation after renunciation. After all it seemed like a small matter to apply the energies released by the National Socialist revolution to the improvement of social conditions desired for so long. Instead the leadership chosen by the people and over again confirmed by it, channeled all its strength into armaments (Wehrhaftigkeit). And - won the consent especially of those sections of the people who had had to suffer most from social conditions prevailing up to then.

H1108 - 0084

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2276-PS

23 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-133 55 67, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a correct and true translation of Document No. 2276-PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-133 55 67.

H1108 - 0085

TRANSLATION OF DOCUMENT 2277-PS
OFFICE OF U.S. CHIEF OF COUNSEL

# STATEMENT

of Gustav SCHIEFER, born 17 July 1876, residence: Munich 9, No. 3 Armansperg-strasse, about what happened to him when the Nazis came on 9 March 1933.

I was employed as part time worker (Hilfsarbeiter) by the former Trade Union Society, Munich, beginning 11 November 1911. During the years 1914-1918, I was in the World War.

After the revolution in November 1918 I was elected Executive Chairman of the General German Trade Union Association (Allgemeiner Deutscher Gewerkschaftsbund), Local Committee, Munich. I held this position without interruption until 9 March 1933.

On that day the Nazis stormed the Munich Trade Union Headquarters Building, 40/42 Pestalozzistrasse. The offices remained closed until 15 March. On 13 March my late colleague Erhard KUPFER, former District Secretary of the General German Trade Union Association (ADGB) and I had to report to the, then, State Commissar WAGNER, and were ordered to reopen the Munich Trade Union Headquarters Building, and with it the offices, by 15 March, and to resume normal activity within the framework of the trade unions.

Since I was at the same time chairman of the Munich Trade Union Headquarters Building, Inc., it became my task to take over the house in its entirety, and with it the individual offices of the trade unions.

Because safes and strong-boxes, in fact everything that was locked, had been smashed open, and because safes and tills, in the main, were empty, I refused to take over the house and offices in their present condition. I stated that I would take over the house only in the condition in which it was when it was taken away from us on 9 March.

The house had been taken over on 9 March 1933 by Herr Kurt FREY, and returned to us on 15 March by the former executive secretary of the Hotel, Restaurant, etc. Employees' Association, Herr REICHART. This Nazi, with whom I did not get along too well because of his equivocal attitude, believed that the opportunity had arrived to wreak his vengeance on me.

I was dragged to the great hall, paper and pencil put before me with the challenge to designate those Nazis who had committed thefts during the period of 9 to 15 March 1933. I could not do that, since I did not know the individuals. As I refused my signature, about 10 Nazis beat me promiscuously and indiscriminately until I collapsed. Upon that they seized me and threw me into the bottom of the light shaft of the Trade Union Headquarters Building. After lying there for some time I summoned up my strength and tried to rouse myself. When the Nazis noted that, they again dragged me into the hall and beat me until I collapsed and fainted. My colleagues Josef GEISL, former executive secretary of the Cobblers' Association, and Richard Moses, employee of the General Mutual Benefit Local Pay Office (Allgemeine Ortskrankenkasse), Munich, grabbed me and brought me in this condition to the Munich-Schwabing hospital. In addition to many other injuries, Professor Dr. KIRSCHENSTEINER, director of this institution, diagnosed serious concussion of the brain with hemorrhage into the brain. I remained there from 15 March to 5 May 1933. On 5 May the Precinct Physician, at that time already a Nazi, certified that I was sufficiently fit for arrest. On 5 May I was transported to the

H1108 - 0086



Cont.

Ettstrasse Police Prison, and from there to Stadelheim.(NOTE: A German prison) I remained in Stadelheim until 25 August 1933.

It is due to an extraordinarily fortunate circumstance that I was saved from Dachau in 1933. Medical Privy Councillor Dr. GEISENDOERFER, who was chief physician in Stadelheim, knew me from the Cooperative Sickness Benefit movement (I had been on the Committee of the General Mutual Insurance Local Pay Office (Allgemeine Ortskrankenkasse), Munich, for 25 years). Through the many negotiations with the physicians I had been in close touch with the above-named gentlemen. During my stay in Stadelheim the Gestapo had me examined five times by the chief physician, who always held a protective hand over me, and to whom I am also indebted for my early release, due to a serious illness (intestinal gap of 15 cm depth and 7 - 8 cm length).

I was then sick and unable to work until 24 December 1933. On that day I was sent away by the Trustee Physician of the General Mutual Benefit Local Pay Office, Munich (city), in spite of my request to allow me to draw sickness benefits until the eve of the New Year. He said that there was no reason to grant the request. As far as I know this Trustee Physician was Medical Councillor Dr. PLATE.

I was then unemployed until May/June 1934 and then accepted various jobs as representative. After my release from Stadelheim I had to report to the police every third day for almost 2 years. Constant police supervision was one of the simplest cases of chicanery.

Upon the initiative of my colleague Wilhelm LEUSCHNER, Berlin, I joined the movement against the Nazi system in good time; and it was exclusively due to the steadfastness of my colleague LEUSCHNER that I, like many other friends, am still alive.

After the assassination attempt on Hitler on 20 July 1944, I was again arrested and shipped to Dachau Concentration Camp. As is well known, that project was called "Gitter".

On 6 October 1944 I was released without any interrogation. I was extraordinarily fortunate. Since 2 May 1945 I am again active, in the trade union as well as the political movement and also in social work and life.

As witnesses for the correctness of my statements I name the persons already mentioned above, who brought me to the Schwabing hospital (Josef GESSL and Richard MOSES).

And how decent were we once more in the year 1945. Not a hair on the head of any of these swine was harmed on behalf of the trade unions. We bore witness, and still bear witness today, for human dignity and justice.

Other liberated colleagues of the Free Trade Unions got away with beatings in the cellar of the Trade Union Headquarters Building in the beginning. Among others my colleague, Anton FRIEDL, now living at 4 Gabrielenstrasse, 2nd floor. Many deceased colleagues, such as Georg KANDLBINDER, Josef ERTL, Heinrich GASSNER and many others.

Munich, 17 October 1945

/s/ G. SCHIEFER

TRANSLATION OF DOCUMENT 2277-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Cont.

Today on the 19th of November 1945, I have re-read and signed every single page of the statement given by me on 17 October 1945. I declare hereby under oath that this statement is true.

(Signed) Gustav Schiefer
Gustav Schiefer

SWORN TO BEFORE ME this 19th day of November 1945, Munich, Germany.

/s/ Kurt A. Baer, O-1041959
Captain, C.A.C
3rd Military Government Regiment
APO 403, U. S. Army

H1108 - 0087

CERTIFICATE OF TRANSLATION OF
DOCUMENT NO. 2277-PS

22 November 1945

I, FRED NIEDERGALL, 2nd Lt. Inf. O-1335567, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 2277-PS.

TRANSLATION OF DOCUMENT 2277-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Cont.

Today on the 19th of November 1945, I have re-read and signed every single page of the statement given by me on 17 October 1945. I declare hereby under oath that this statement is true.

(Signed) Gustav Schiefer
Gustav Schiefer

SWORN TO BEFORE ME this 19th day of November 1945, Munich, Germany.

/s/ Kurt A. Baer, O-1041959
Captain, CAC
3rd Military Government Regiment
APO 403, U. S. Army

H1108 - 0088

CERTIFICATE OF TRANSLATION OF
DOCUMENT NO. 2277-PS

22 November 1945

I,,FRED NIEDERGALL, 2nd Lt. Inf. O-1335567, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 2277-PS.

OFFICE OF U. S. CHIEF OF COUNSEL
TRANSLATION OF DOCUMENT NO. 2283-PS

Excerpts from the Munich (Southern German) Edition Nr. 258 of the official Party newspaper, Völkischer Beobachter, of 14 September 1936, page 11. (The page is dated 12 September, but because it is part of the 14 September issue, because the article is date-lined 13 September, and because the reverse page of the same sheet is dated 14 September, this is obviously a misprint).

H1108 - 0089

## THE 5TH DAY OF THE PARTY CONGRESS

## ADOLF HITLER HAS CARRIED OUT THE TRUE SOCIALISM

********************************************************

## REICH ORGANIZATION LEADER DR. LEY RENDERS AN ACCOUNT OF THE ACHIEVEMENTS OF THE GERMAN LABOR FRONT

Nürnberg, 13 September.

Again 20000 serried people filled the big hall in the Luitpold Park on Saturday for the penultimate session of the Party Congress.

At this session, too, the Führer was present from the beginning. Again enthusiastic shouts of exultation lasting for minutes roared around the Führer when he strode through the long-stretched hall with his deputy, his constant retinue and several Reich Leaders and District (Gau) Leaders.

On this evening Congress participants listened to grandly-conceived accounts by Reich Organization Leader Dr. Ley about the accomplishments of the German Labor Front, by Reich Leader Hierl about the Labor Service, and by Plenary Inspector for German Highways, Dr. Todt, about progress in building the highways of Adolf Hitler.

After the defile of the Blood Banner and of the Party Standards (Standerten) the solemn prelude was the overture to "Oberon", played by the Reich Symphony Orchestra. The Congress was opened by the Führer's Deputy, Rudolf Hess, who immediately introduced Reichsamtsleiter (Reich Agency Leader) Dressler-Andress for reading of the account (Rechenschaftsbericht) of Reich Organization Leader Dr. Ley.

My Führer!

When you, my Führer, ordered me in mid-April 1933 to take over the trade unions I could not understnad why you gave this order to me, since I could not see any connection between by task as Organizational Leader of the Party and my new task. Very soon, however, your decision, my Führer, became clear to me and I recognized that the organizational measures of the Party could only come to full fruition when supplemented by the organization of the people, that is to say by the mobilization of the energies of the people and by their concentration and alignment. If the Party represents the concentration of the political leaders of the people - as you, my Führer, have taught us again and again - then the people is the retinue (Gefolgschaft) and must be organized and trained according to the same principles. Leader and retinue, elite and community at large (Führer und Gefolgschaft, Orden und Gemeinde) - those were

the clear directives for my work. These were the consequences:

1. My tasks as Organizational Leader of the Party and as Leader of the German Labor Front were a completely homogeneous task, in other words, in everything I did I acted as Reich Organization Leader of the NSDAP.

2. The German Labor Front was an institution of the Party and was led by it.

3. The German Labor Front had to be organized regionally and professionally according to the same principles as the Party.

That is why trade union and employer associations had to be smashed unrelentingly (unnachsichtlich zerschlagen werden), and the basis of construction was formed, as in the Party, by the cell and the local section (Ortsgruppe

.....

The idea of the Factory Troops (Werkschar) is making good progress in the plants, and I am able to report to you, my Führer, that security and peace in the factories has been guaranteed, not only in normal times, but that also in times of the most serious crises, disturbances, such as the munition strikes of the traitors Ebert and his confederates, are out of the question. National Socialism has conquered the factories. Factory troops (Die Werkschar) are the National Socialist shock troops within the factory, and their motto is:

THE FÜHRER IS ALWAYS RIGHT!
******************************

.....

H1108 - 0090

---

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2283-PS

22 October 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf, 0-133 55 67, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a correct and true translation of Document No. 2283-PS.

FRED NIEBERGALL
2nd Lt., Inf.,
0-133 55 67.

TRANSLATION OF DOCUMENT NO. 2330- S
Office of U.S. Chief of Counsel.

Copy

Nürnberg
August 29, 1935

Police Headquarters; Nürnberg-Fuerth

Re: Protective Custody.

Order for Protective Custody.

On the basis of Article 1 of the VO of the Reich President for the protection of people and state, of 28 Feb., 1933,(RGBl.I p. 83) the ministerial decree of May 2, 1934,No. 2186 a 39, herewith is taken into protective custody:

Effective as of 3 August 35:

First and last name: Josef Simon

Place and date of birth: May 23, 165 in Schneppenbach,

B.A. Alzenan.

Marital Status and Profession: Widowed, former Trade Union Secretary.

Citizenship: Subject of the German Reich.

Religion: Free thinker.

Place of residence: Nürnberg - N. Ziegelsteinstr. 106

The arrestee has no right to appeal against the decreed protective custody.

Reasons:

Simon was for many years a member of the Socialist Party and temporarily a member of the Union Socialiste Populaire. From 1907 to 1918 he was Landtag deputy of the Socialist Party; from 1908 to 1930 Social Democratic City Councellor(Stadtrat) in Nürnberg. In view of the decisive role which Simon played in the international trade unions and in regard to his connection with international Marxist leaders and central agencies, which he continued after the national recovery, he was placed under protective custody on 3 May, 1933, and was kept, until 25 January 1934, in the Dachau Concentration Camp. Simon is under the urgent suspicion that even after this date he played an active part in the illegal continuation of the Socialist Party. He took part in meetings which aimed at the illegal continuation of the Socialist Party and propagation of illegal Marxist printed matter in Germany.

Through this radical attitude which is hostile to the State, Simon directly endangers public security and order.

- - - - - - - - - - - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2330-PS

7 November 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) U.S.N.R. 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document 2330-PS.

WILLARD EVANS SKIDMORE
Lt.(jg) USNR.
391590.

TRANSLATION OF DOCUMENT 2331-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Bavarian Political Police

Nürnberg, 20 December 1935

H1108 -0092

**Declaration**

I have been informed that I shall be released from protective custody, and that I have to expect to be taken into protective custody again in case that I should behave in a manner inimical to the State, or if I should be active in this sense.

I have been informed that, for my physical protection I may return into protective custody upon my own request.

I have been informed that I have to present myself (or: that I have to report) in person at the Gend. Station Ziegelstein, competent for my residence, on every second day of the week at the same hour.

(signed); Josef Simon

S i m on Josef, residing Nürnberg-N, Ziegelstein St. 106, widower, trade union secretary; born 23 May 1865 at Schneppenbach.

---

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2331-PS

---

9 November 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2331-PS

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

TRANSLATION OF DOCUMENT 2332-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Concentration Camp Flossenbürg

Flossenbürg, 22 December 1941

Az: II. Political Department/Schl.

To: Frau Grete S t a i n e r,

N u e r n b e r g

In answer to your letter 12 December 1941, enclosed please find the desired death certificates. At the same time I certify that the cremation has taken place on 3 December 1941 in the crematorium at Flossenbürg.

After submission of a burial certificate from the administration of the pertinent cemetary the urn with the ashes will be sent to you free of charge.

The Camp Commander
by order of

/s/ illegible

Criminal Secretary

* * * * * * * *

Death-Certificate

(Registrar's Office: Flossenbürg No. 6511941)

The baker Stainer, Josef, Catholic Religion

Residence:

Flossenbürg Concentration Camp,
died on 30 November 1941 at 1410 hours
in Flossenbürg Concentration Camp.

The deceased was born on 19 October 1871 at Kay.
The deceased was married to Margarete, nee Weber.

(Stamp of
Registrar,
Flossenbürg/Oberpfalz

Flossenbürg, 30 November 1941

The Registrar:

/s/ illegible

CERTIFICATE OF TRANSLATION
OF DOCUMENT NUMBER 2332-PS

19 November 1945

I, Goetz Mayer, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct translation of Document Number 2332-PS.

GOETZ MAYER
T/5, 33812169

TRANSLATION OF DOCUMENT 2333-PS
OFFICE OF U.S. CHIEF OF COUNSEL

H1108-0094

Police Presidium, Nürnberg-Fürth
Protective Police (Schutzpolizei)
3rd Police District

Nürnberg, 29 Dec. 1941

To

Frau Elise Herrmann

Nurnberg, Juvenllestr. No. 26

Your husband, Paul Hermann, died of an infection in the concentration camp, Flossenbürg, on December 28, 1941.

The corpse cannot be inspected because of the danger of infection.

The cremation will take place in the crematorium of Flossenbürg.

The Secret State Police Office
Nürnberg-Fürth
/s/ Müller

Authenticated
(illegible)
District Police It.

* * * * * * *

Death-Certificate

No. 7/1942

The baker Karl H e r r m a n n, Lutheran Religion

Residence:
Flossenbürg Concentration Camp
died on 28 December 1941 at 1400 hours
in Flossenbürg Concentration Camp.

The deceased was born 24 November 1873 in Wassertrüdingen.
The deceased was married to Elise, nee Steiner, Nürnberg.

Flossenbürg, 2 January 1942

(Stamp of
Registrar,
Flossenbürg/Oberpfalz

The Registrar:
/s/ Jaum

- - - - - - - - - - - - - -
CERTIFICATE OF TRANSLATION
OF DOCUMENT NUMBER 2333-PS
- - - - - - - - - - - - - -

21 November 1945

I, Goetz Mayer, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages: and that the above is a correct translation of Document Number 2333-PS.

GOETZ MAYER
T/5, 33812169

TRANSLATION OF DOCUMENT 2334-PS
OFFICE OF U S CHIEF OF COUNSEL

H1108 - 0095

## Statement of Lorenz Hagen

During the night of 17th to 18th March 1933, the offices of the ADGB ("Allgemeiner Deutscher Gewerkschaftsbund"; German Trade Unions), which are located in Nurnberg, Breite Gasse 25/27, as well as the offices of the Builders' Union and the Unions of the Bookbinders, Bookprinters, Lithographers, Textile Workers and Carpenters were completely destroyed by the SA under the leadership of SA-Brigadier General (SA-Oberfuhrer) Wurzbacher. All the office furniture was smashed and thrown into the courtyard, the safes overturned, forced open from the back and robbed. The typewriters, adding machines, mimeograph machines, etc., were stolen.

The ADGB possessed a huge library of about 10,000 volumes for the use of its members. Every single book was torn and thrown into the courtyard.

The Workers' Secretariat, which was joined to the AGBD, had an extensive professional library of about 500 volumes, among them valuable works on literature of social security and labor legislation. These were also thrown out and torn to pieces. A similar fate met about 750 to 800 files covering the cases of beneficionaries of pensions (social, war and accident cases) whose claims for pensions were being worked on.

The SA posted continuous guards in the office building and nobody was permitted to enter. When I made the attempt to enter in spite of it, Wurzbacher said: "The Red rascal will get in but will not come out alive." When I got in later in spite of him, the SA tried to catch me, but I escaped.

In order to guarantee the continued function of the trade union, which was most urgently needed at that time, I set up an emergency office in Nurnberg, Hummelsteinerweg. This was occupied on 2 May 1933 by SA, led by Pessler who was the District-leader (Gauobmann) of the NSBO (National Socialist Factory Cell Organization; "Nationalsozialistische Betriebszellen - Organisation") (later DAF; the German Labor Front). Erhardt Kupfer, the district secretary of the ADGB, was arrested at that time, kicked with rifle butts and led away by the SA in schackles. As the deputy of NSBO, a certain Müller was appointed. Three SA men guarded the office day and night. Upon the seizure, Pessler's first question to me was: "Where do you have your cars? I know you have three cars." When I answered that I never had a personal car, he threatened to put me in jail until I would confess. When he finally realized that I did not have a car, he asked me what funds the Nurnberg local committee of the ADGB possessed. I said truthfully: "235,000 RM minus the sum stolen by the SA from the safes when they broke into the offices on the Breite Gasse and which amounted to about 4,000 RM." Whereupon he threatened again to have me arrested but he did not do so, probably on the basis of the general order not to arrest the chairmen of local committees (Ortsausschussvorsitzende). I learned about this order only a few days ago.

On 1 June 1933, the deputy Müller came into the office and asked me whether I had not been arrested yet. I said no and indicated that the night before I had been in the apartment of my mother-in-law who was severely ill. I left the office without being noticed, hurried home, packed the most necessary things, and left by bicycle with my wife. We stayed away for about five weeks, travelling from one place to another.

After returning, I was arrested towards the end of August 1933, under the charge that I had agitated against the National Government and had conducted illegal recruiting for the forbidden ADGB and the Socialdemocratic Party. When no proof could be produced, I was released, but arrested again after 3 days. This time I was accused of having had knowledge of the arsenal of the Reichsbanner (Militant Organization of German Social democrats), and that I had organized the arming of the members of the Trade Union Offices. In cross-examinations conducted over many weeks, they tried to force a confession out

of me. When I did not confess anything, I was to go to the concentration camp in Dachau. However, my wife succeeded in preventing this. After 3½ months, I was released again. After this release I tried to start a business, no matter of what kind. It was in vain. Similarly, it was impossible for me to find work in my former line as engine-builder. Reason: political unreliability. Thus I lived on a weekly unemployment benefit of 14.40 marks, with my wife, until my further arrest in August 1935. At this time I was charged with participation in the so-called middle-German insurrection of 1934, and with the smuggling of illegal writings from abroad. In spite of the greatest efforts and the application of the foulest methods, such as the poorest and most inadequate food, depriving me of fresh air, threatening me with being shot and beaten, again the Gestapo did not succeed in proving anything against me. I was again set free after 12½ weeks. During this period of confinement, Kriminalrat Otto, the Gestapo-chief, tried to persuade my wife to convert me to National Socialism. He told her: "If your husband comes to us, this will be of greater value for us than the adherence of 1,000 other people. Your husband would get a position in which he would earn 3 times as much as ever before." My wife refused consistently.

The same story as before: unemployment, occasional meagre earnings, until the next arrest on 26 January 1938. This time they did a fullsized job and arrested my wife too. We were accused of preparing high treason against the country (Hoch- und Landesverrat) as well as maintaining connections abroad. The interrogations lasted until the middle of April. The Gestapo agent Beetz had a predilection for interrogations at night. Five searchlights illuminated the spot where you were sitting. Behind and before me, and on both sides, four men sat at a distance of a few meters, pointing their revolvers at me and clicking the triggers. The interrogations, which were of course always fruitless, were repeated sometimes two or three times in one night. Terms like "Greatest scoundrel," "most common criminal," and others were used. One morning at five o'clock, Beetz called me and said: "You know that your wife has been arrested too. She had a complete breakdown and struggles with death in her cell. She expressed the wish to see you once more before her death. I am willing to grant her wish, but only if you make a full confession." When I refused, he had me taken back into my cell and in an indescribable psychic condition. Beetz asserted several times that the material at hand condemning me was sufficient for 5 years in the penitentiary. I then demanded to be taken before the investigating judge. This, however, was refused, and on 20 April 1938, I was shipped to Dachau Concentration Camp. There I came immediately into solitary confinement and had to undergo 32 days of severe bunker (stronger Bunker)-punishment. During this time I had to sleep on a wooden board without blankets, and received warm food only every 4th day. On 9 July, I was released from the bunker and taken into the camp. There I had to perform the heaviest work, in spite of my greatly weakened physical condition. One day I received from an SS guard a kick in the back which threw me against a lorry which was just passing by, and thus I broke my lower right rib. Once when a prisoner had escaped from the camp, all of the camp-inmates had to fall out after work and stand at attention in ranks throughout the night. There were 17 dead next morning. On 13 July 1939, on order of the Nurnberg-Gestapo, I was taken off work and again put into the bunker and received again 64 days of rigid bunker-arrest until 28 September 1939, and was then shipped to Buchenwald Concentration Camp. There I came into the bunker again and stayed there until my release. During the whole time in Buchenwald I had to sleep on a board without a blanket. The food in the Buchenwald camp was so inadequate and inferior that at the time of my release I was a skeleton with skin over it. I wish to add that during my transfer to Camp Buchenwald, I suffered an inguinal rupture on the left side when jumping from a railroad car.

The release from the camp was accompanied by the express warning not to reveal anything about happenings in the camp. Otherwise, I would be returned



H1108 - 0096

there and never would have a chance to get out again. After my return to Nürnberg, I had to report daily at 10 o'clock sharp at the main office of the Gestapo. From July 1941, I had to report twice weekly to the police station in my district. After I was completely bombed out, on 9 March 1943, the order to report was rescinded.

After this release from Camp Buchenwald, I again could not find a job anywhere, although the Gestapo had told me that if I could not show that I had a job within 6 weeks, I would be returned to the camp, since my release was tentative only. It was only due to the kindness of a textile shop owner who employed me in spite of the warnings of the Gestapo that I was not taken into protective custody again.

On 22 August 1944, I was again taken to Dachau Concentration Camp because of the attempt against Hitler's life, and I remained there for six weeks.

I may add that I had to undergo 6 house-searches during which everything in my apartment was upset. In these instances, all books which seemed to be dangerous, magazines, pamphlets, etc., were taken away.

I was chairman of the A.D.G.B., Local Committee of Nurnberg, 1930-33.

(signed) Lorenz Hagen
Chairman of ADGB,
Local Committee of Nurnberg
formerly: Karthäusergassergasse
Residence: Furth, Ritter v.
Aldebertstr. 3.

Today on the 17th of November 1945, I have reread each single page of the statement given by me on 19 October 1945 and I have signed it. I declare hereby under oath that this statement is true.

Lorenz Hagen

H1108 - 0097

SWORN TO BEFORE ME this 17th day of November 1945 at the Justice Building, Nürnberg, Germany.

D. A. Sprecher, 02055516
Captain, AUS

Appendix to the Statement of the Chairman
of the ADGB, Local Committee of Nürnberg

When I arrived at the concentration camp at Dachau, the manger of the Stokers and Machinists Union, Josef Staimer, who had been active in the above organization until 1933, was still in the Dachau camp. He had been arrested in March 1933 and shipped to Dachau. He was released from there near the end of 1938 or the beginning of 1939.

Karl Hermann, manager of the Union of Factory Workers, pay office (Zahlstelle) of Nurnberg, was for several weeks imprisoned in the same cell with me when I was taken into protective custody in 1935 in the prison of Nurnberg. The total period of his imprisonment was about 7 weeks at that time. The reason for his arrest was to force him to give his approval of the notarial transfer of the house of the Factory Union to the DAF. As private owner of the house, Hermann had been appointed together with another colleague of his organization to be the trustee of this house by the organization. In 1943 the two above mentioned men were taken to the Concentration Camp Flensburg. In 1944 they died in the camp.

During my stay in Dachau, we had Brigadier-General (Oberfuhrer) Loritz,

who was the commander of the SS-Death Head-Unit (Totenkopfstandarte) and chief camp commandant. He was a violent, brutal man. Here is only one example for this:

For a while I was occupied in an SS clothing camp with a prisoner-detachment. An SS 1st Lt. (Obersturmführer) who was in the tailoring section, whose name I unfortunately do not recall, sent a prisoner to the gate of the building on which there was a clock to find out what time it was. Loritz caught sight of the man, struck at him with his riding-whip and had his name taken. When the detachment returned at noon, the man was led away and without being allowed to defend himself, he received 25 lashings (stockhiebe) and 3 days arrest with water and bread. The rest of the detachment had to stand at attention during the noon recess and return to work without eating. The camp commander of Dachau at that time was Captain Kögel, who was transferred in September 1938 to the concentration camp for women in Lichtenburg, near Prettin, where my wife was at the time of this transfer.

Captain Grünewald followed him as camp commander. Grünewald was transport commander when we were shipped to Buchenwald. I myself saw, during the unloading of the train at Weimar, how Grünewald hit Czech arrestees, older people, in the face and neck with his fist. One of the men fell to the ground and could rise only with difficulty.

In my time, the SS-First Sergeants ("Rapportführer"; work detail-leaders) were Hofmann from Bamberg and Lüdtkemeyer, from Northern Germany. These two were also very brutal fellows, with whom beating and smacking on the pettiest grounds were the order of the day for satisfying their sadistic inclinations.

(Signed) Lorenz Hagen
Residence: Furth, Ritter v.
Aldebertstr. 3.
Office: Nürnberg, formerly
Karthäusergasse 12.

Today, on the 17th of November 1945, I have reread a duplicate copy of the appendix, which is an exact copy of the appendix to my statement of 19 October 1945. I have found that this statement is true. I declare this hereby under oath.

(Signed) Lorenz Hagen
Lorenz Hagen

SWORN TO BEFORE ME this 17th day of November 1945 at the Justice Building, Nürnberg, Germany.

D. A. Sprecher, 02055516
Captain, AUS

- - - - - - -

17 November 1945

I, GOETZ MAYER, Tec 5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 2334-PS.

GOETZ MAYER
T/5, 33812169

TRANSLATION OF DOCUMENT 2335-PS
OFFICE OF U S CHIEF OF COUNSEL

H1108 - 0099

Josef Simon, born May 23, 1865

Since 1900, first chairman of the German shoemakers Union, located in Nurnberg.

In April, 1933, Georg Pessler, Nurnberg, Guntherstr. 33/I, the deputy assigned by the Nazis for the trade unions, came into our office, Essenweinstrasse 1 and declared that trade union dues were embezzled there. When we asserted that no embezzlements had occurred in our office, he asked for the cash book which we submitted to him. After turning the pages for a short while, he declared: "25,000 Marks are missing". He put the cash book into the safe, closed the safe and gave the key to the policeman, who had come with him.

We asked for an official public accountant to examine the books A few days later the accountant who had been assigned by Pessler arrived and after checking he ascertained that with a cash amount of 4¼ millions there was a surplus of 13 pfennigs in the safe. In spite of this testimony, Pessler did not return the keys of the safe to us, closed our bank and checking accounts and asserted in meetings of factories that we had embezzled union dues. Only 3 weeks later could we get the keys of the safe again with the aid of the police.

On 2 May 1933, our office in Nurnberg was occupied; I myself had gone to Berlin on 1 May, because a meeting of the ADGB ("Allgemeiner Deutscher Gewerkschaftsbund;" German Trade Unions) was to take place there on 2 May. The trade union building there was occupied and the majority of the officials were arrested.

I was arrested on 3 May at 6 a.m. in my apartment in Berlin at the request of the Criminal Police of Nurnberg. After being kept in police custody in Berlin until 9 May, I was taken to the prison in Nurnberg and was shipped to the Dachau concentration camp on 30 June together with other arrested people (the socialdemocratic City Counsellors (Stadtraete) of Nurnberg). In Dachau the SS Guards had stirred up the Communists who had been imprisoned there for quite some time with these words: "Today your tormenters ("Bonzen") will arrive, give them a nice welcome". It was only due to the insight of a few reasonable Communists that they kept their comrades from violent acts; nevertheless, we were greeted in the camp with the vilest invectives. If it had come to acts of violence, we would of course have defended ourselves and then the SS would have shot at the people, fighting with each other. That was the intention of the SS as we learned later.

The Communist Scheberle from Roethenbach near Lauf was Camp Senior and was in charge of assigning work details. He made us who had come in on 30 June fall out early on 1 July; we had to form ranks and then he shouted: "Reichstag deputy Simon step forward!" In this way a considerable number, particularly those who had had some responsible job, were called up and then we were led by the SS to work. I was ordered to collect horse dung which was lying on the roads of the camp with my bare hands, without shovel or broom and to carry it to a nearby container. Since I did not bend down fast enough in the opinion of my guard, an SS man about 19-20 years, he yelled at me and demanded faster work. I answered: "When you will be 68 years old and have sciatica, you will not bend down so fast either". By collecting the partly wet horse dung, my hands were soiled very much. When the work was finished, I asked the guard whether I could wash my hands at the water hydrant. He refused with the words: "No, you can go and eat with them". In the afternoon we had to fall out again and were assigned for work. I was ordered together with 19 other prisoners (among them, the meanwhile deceased "Kupfer", district leader of the ADGB) for work in the kitchen. There we had to clean the still very hot food-kettles.

H1108 -0100



Since the circumference of the kettle was so big that we could not reach the other end, we had to crawl into the hot kettles which almost burnt our shoes. Bathed in sweat, we had to perform the work. When this was over, we had to line up in a group to have our photographs taken. I was in the center and a ready-made sign was hung around my neck which bore the inscription: "I am a class conscious Socialdemocratic tormentor ("Bonze"). Twice I tore the sign off and left it hanging only after having been threatened with beatings. After the pictures were taken, the younger ones had to fall in line and after the command "Attention" was given, the commander went to the rear and commanded "Forward march", then "halt", and said: "Repeat the following words: Fuehrer, we thank you that today for the first time we were able to performe some honest work". Then I was to go with the penal company to the gravel-pit. My son who was also in Dachau asked to go to the penal company instead of me. That was granted. Gradually, I was no longer assigned to work details. Anyhow there was a regulation that people over 65 should not be assigned to work any longer. In spite of this regulation, I, with my 68 years, was treated as mentioned above.

I was not mistreated, but at each and every opportunity abused with vile invectives. After almost 9 months of protective custody, among them 7 months in Dachau, I was released on 25 January 1934. Then I had to report every other day in Nurnberg to the police and was watched by the Gestapo.

At the beginning of August 1935, I was rearrested on the following grounds: "Simon was for many years a member of the Socialdemocratic Party and for a while of the Independant Socialdemocratic Party. From 1907 to 1918 he was Landtagdeputy of the Socialdemocratic Party and from 1908 to 1930 Social Democratic City Counseller (Stadtrat) in Nurnberg. In view of the decisive role which Simon played in international trade unionism and in regard to his connections to international Marxist leaders and central agencies which he continued after the National Revolution, he was placed under protective custody on 3 May 1933 and was kept until 25 January 1934 in the Dachau Concentration Camp. Simon is under the grave suspicion that even after this date he worked for the illegal continuation of the Socialdemocratic. He took part in meetings which aimed at the illegal continuation of the Socialdemocratic Party and at the propagation of illegal Marxist printed matter in Germany.

Through this radical attitude, hostile to the State, Simon directly endangers public order and safety."

I was released from this protective custody on 20 December 1935. But it was this protective custody which caused much psychic sufferin to me and undermined my health..

When in 1934 we were released from Dachau, the commander "Eicke" delivered an address, at the end of which he said: "Remember this, whoever returns here does not get out any more." Now I was afraid every day to get to Dachau again, and I was repeatedly threatened with it. Therefore, I suffered strongly in body and soul. My heart and nerves were particularly affected and there was in addition the bad food. When I was released on 20 December, I was already sick. Nevertheless, I had to report to the police every other day. When on 27 December I wanted to fulfill again my obligation to report there, I collapsed

TRANSLATION OF DOCUMENT NO. 2335-PS
OFFICE OF U.S. CHIEF OF COUNSEL

I hereby declare under oath the correctness of the above statement which oath is given by me on this thirteenth day of November 1945 at Nürnberg, Justice Building, before Captain D. A. Sprecher, AUS.

(Signed) Josef Simon
Josef Simon

SWORN TO BEFORE ME, this 13th day of November 1945 in the Justice Building, in Nürnberg, Germany.

(Signed) D. A. Sprecher
D. A. Sprecher, 02055516
Capt., AUS

Josef Simon, Nürnberg, Ziegelsteinstr. 106

As I have already stated in my report on my arrest, my son Willi was also arrested on 29 June and taken to Dachau Concentration Camp. Nothing could be proved against him, except that he was my son. My son "Josef" was to be arrested also and taken to Dachau. He avoided being arrested by fleeing and going via Schleswig-Holstein to Denmark, where he lives and works at present as a refugee.

My son Willi was asked by the SS guards in Dachau what sort of post he held. When he answered that he had had none, he was slapped in the face and ordered to confess, and at each declaration that he had had no post he was slapped in the face again and again. Then the SS men poured water out in the basement of the washhouse and while my son had to wipe it off with a little rag he was beaten several times. After he had wiped up the water, the basement was drenched again with water and under further beatings he again had to wipe up the water.

During bathings in the winter of 1933 the prisoners who in the opinion of the SS did not get ready soon enough in the cold washroom were sprayed with a hose while half-dressed and chased outside. Because of the wet clothing my son contracted a severe cold in the form of an arthritis of the hip. He came into the dispensary. The pains became worse all the time and finally he was taken to a clinic in Munich for examination. The physician declared that my son had to remain in the clinic for treatment. This, however, was refused by the accompanying SS and he was taken to Dachau again, where he was again taken to the dispensary. I visited him in the dispensary and asked the medic to put his bed near the stove, a request that was granted. Only after several weeks did the condition of my son improve, and on 18 January 1934 he was released from Dachau.

For the truth of the above statements vouches.

(Signed) Josef Simon

Nürnberg, 23 October 1945

I have again read carefully the report submitted by me on 23 October 1945 and I hereby declare under oath that the content is true. This statement is herewith made by me today, the 13 November 1945 at Nürnberg, in the Justice Building before Captain D. A. Sprecher, AUS.

(Signed) Josef Simon
Josef Simon

SWORN TO BEFORE ME, this 13th day of November 1945 in the Justice Building in Nürnberg, Germany.

(Signed) D. A. Sprecher
D. A. Sprecher 02055516
Captain, Army of the United States

TRANSLATION OF DOCUMENT 2335-PS
OFFICE OF U.S. CHIEF OF COUNSEL

JOSEF SIMON, Nürnberg, Ziegelsteinstr. 106.

Karl Hermann, official of the Union of the Factory Workers, was arrested together with Staimer, on the denunciation by his nephew that he had together with Staimer, listened to foreign radio stations, they were shipped to the concentration camp Flossenbürg in the Oberpfalz. There he was slain and the ashes were sent to his family.

I cannot name witnesses for this deed, but I attach a death certificate sent to his family. (NOTE: See Document 2333-PS)

I vouch for the truth of the above statements.

Nürnberg, 23 October 1945 (Signed) Josef Simon

Josef Simon
Nürnberg
Ziegelsteinstr.. 106

When I was shipped on 30 June 1933 to the Dachau Concentration Camp, I met there Josef Staimer, an official of the Unions of Stokers and Machinists, who had already been arrested in April and sent to Dachau. As far as I remember, he was not released from Dachau until 1938.

In 1940, Staimer together with Hermann was arrested again on the basis of a denunciation and came to Flossenbürg Concentration Camp in the Oberpfalz. He was slain there after a few months and burned in the Crematorium. The ashes were sent to his family.

I cannot name witnesses for this deed, but I attach a death certificate sent to his family. (NOTE: See Document 2332-PS)

For the truth of the above statements vouches.

(Signed) Josef Simon

Nürnberg, 23 October 1945

I have reread carefully both reports, as submitted by me on 23 October 1945, and declare herewith under oath, that the content is true. This statement is herewith made by me today, the 13th of November 1945 at Nürnberg, in the Justice Building before Captain D. A. Sprecher, AUS.

(Signed) Josef Simon
Josef Simon

SWORN TO BEFORE ME, this 13th day of November 1945 in the Justice Building in Nürnberg, Germany.

(Signed) D. A. Sprecher
D. A. Sprecher, 02055516
Captain, AUS

---

CERTIFICATE OF TRANSLATION OF
DOCUMENT NUMBER 2335-PS

---

15 November 1945

I, GOETZ MAYER, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 2335-PS.

GOETZ MAYER
T/5, 33812169

H1108-0103

TRANSLATION OF DOCUMENT 2336-PS
OFFICE OF U.S. CHIEF OF COUNSEL

GERMAN LABOR FRONT
Organization Office
Chief Directorate of the Political Organization ("P.O.") National Socialist Factory Cells Organization.

Berlin W., 27 June 1933
Lützowufer 18, II

SPECIAL CIRCULAR
on the Securing of the Associations of the
German Labor Front (DAF) Against Hidden Marxist Sabotage.

To all

Leaders of Worker and Employee Associations of the DAF Regional (Bezirks),
District (Kreis) and Local Chapter Directorate (Ortsgruppenleitungen) of
the Worker and Employee Associations of the DAF,
Regional Leaders of the DAF,
Regional Leaders of German industry

and

National Socialist Works Organization (N.S.B.O.) of
"Landes" Representatives of the NSDAP
"Gau" Factory Cell Leaders of the NSDAP
District Factory Cell Leaders of the NSDAP
Local Chapter Factory Workers (Ortsgruppenbetriebswarte) of the NSDAP in
Berlin and the Reich.

(Stamp)
Main Archives
of the NSDAP
No._____

(Stamp)
Entered in the index of books
3 A/C current No. A-202.

H1108-0104

TRANSLATION OF DOCUMENT NO. 2336-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Dear Party comrades.

## The Situation

Today the third SA-man from Berlin has died, following on the burial yesterday, with the greatest ceremony, of his two comrades. The murderer was a Marxist trade union member. - A few days ago SA-men were fired at by Marxists in two other cities of the Reich.- Enemy aircraft dropped revolutionary Marxist leaflets over Berlin.- Shortly before the final edition of today's local newspapers came out, it became known that a gigantic new scandal of corruption has been discovered in a land settlement society. The former Marxist "Gau" chairman of the Textile Workers' Union (Textilarbeiter-Verbandes) has been arrested as the chief swine and money maker. In Silesia signs have been discovered of a secret Marxist organization (Communist Party).

This is a small selection of daily events, chosen at random. Marxists as murders, Marxists as inciters to corruption, Marxists as foreign agents, Marxists as conspirators against the state and its institutions. The notorious enemies of the state are opposed by the great mass of honest German workers who fight for work and bread. For fourteen years the "labor leaders" of Prague, Paris, Amsterdam, Warsaw gave to the millions of German workers stones instead of bread, servitude to a foreign political system instead of liberty. The 30th January, 5th March, 2nd May, 22nd June finally struck one weapon after the other out of the hands of this "Fuehrer" mob (gesindel). The force and thoroughness of the National Socialist coups (Aktionen) made those who did not disappear into concentration camps creep into every dark corner.

## They Played Dead.

However, now the generosity of National Socialism towards its adversaries, which was rightly mentioned by party comrade Dr. LEY in one of the last decrees of the DAF leaders, seems to have encouraged them to new treasonable activities from the darkness. There is much to indicate this. Here is just a small sample from a report submitted by the Gestapo, Berlin:

"The functionaries of the free trade unions have received instructions to dismiss the assertions of the National Socialist Works Organisation regarding the former embezzlement of union funds as slanderous. What is aimed at is permanent agitation on a considerable scale, particularly with the cooperation of the treasurers of the Social Democrat Party. All trade union members who have joined the National Socialist Works Organisation so as not to lose their jobs are registered with full details and then visited by functionaries in their homes. An attempt is being made to group together all "class-conscious" workers who reject Fascism. The aim is to keep the trades unions as fighting organs in spite of National Socialist leadership. The old trades union leaders are convinced even today that there is no suitable soil in Germany for the plant of Fascism; nevertheless every effort should be made to shorten its existence.

These new working methods are contrived on the instructions of the international association of trade unions with which the leading German trade unionists are,as ever, in close contact. In short, the activity of the functionaries of the Marxist parties and Trades Unions is becoming more and more effective. (aktiv).

They want again, although of course considerably weakened, to use as a spring board the countless millions of German workers who long for work and bread. They shoot their arrows from ambush, try to organize themselves illegally, and now and then even assume a cynical and impertinent attitude. But they must have got a totally wrong idea of us! We are awake! As new and qualified leaders of the workers and employees of the DAF and as political officials ("Amtswalter") of the victorious National Socialist Works Organization, the sword of the DAF, and finally also the old, confirmed National Socialists who are accustomed to persecution, in all the leading and authoritative positions of the DAF, are, thank God, guarantees that the doings of our enemies come to nought.

H1108-0105



Since we know that, we act accordingly. Our aim is:

1) Expulsion of the last leading Marxist from all units of the associations of the "German Labour Front";

2) Therefore no softness, no false belief that we can "convert" them, since they hate us from the very bottom of their hearts and because Marxist big-wigs (Bonzen) can never be converted;

3) No more financial settlements, no respecting of all their dishonestly made agreements;

4) Close observation and a close check on their private activities, for they carry on propaganda against the state under the cloak of honest citizens;

5) See to it that they are regarded by the people as outlaws who really deserved to be hanged;

6) Have close observation instituted in the factories;

7) Finally do everything that helps the German workers and the German employees but cuts off the deposed Marxist big-wigs from every type of activity hostile to the state.

We have one aim only; to unite the whole of German labour in a mighty block of workers for the blessing of the people and state. Adolf Hitler is the protector (Schirmherr) of the DAF - that explains everything.

The Marxists, at home and abroad, have also one aim only; to annihilate National Socialism and thus create chaos in Germany, nay, in Europe. The fronts are thus clear. The law of the National Socialist revolution demands therefore not only unceasing toil, but fast work at this very moment. Therefore the following orders are issued.

A)

FOR THE "GENERAL ASSOCIATION (Gesamtverband) OF GERMAN WORKERS" of the DAF

1) The organization office of the DAF is drawing up a "List of Outlaws" (Geächteten) which is valid for the entire Reich and in which the names of all those Marxist trade union "big-wigs" (Bonze) will be included, who have carried on in the past and are still carrying on the most furious struggle against National Socialism and are continuing it in secret. Anyone on the "List of Outlaws", will not be given work in the future. All organizations which have any vital connection with German industry are being sent this printed list, in order to prevent any of these traitors to the workers from returning to the factories by crooked means and possibly continuing their mutinous activity there.

In this connection, the Association leaders (Verbandsleiter) of the"General union (Gesamtverband) of German Workers" of the DAF will issue detailed executive instructions.

2) No treasurer (or person holding similar office) in the associations may be a Marxist because these persons have the greatest opportunity of forming illegal nucleus groups. It goes without saying that suspicious treasurers, who can of course continue their former activities in spite of the fact that they no longer have the right to collect subscriptions, should be constantly watched.

3) The local group associations (Verbandssortssgruppe) are to be filled up as soon as possible with the members of other associations or groups who have been brought into line (Christian, former yellow, Evangelic, and Catholic workers unions, etc.) so that the block of "free" association members which has up to now been a closed community, may be split up. Public places known to have been frequented by the Social Democrat, Reichsbanner, or Communist Party, may no longer be used as meeting places of the local group association (Verbundsortsgruppen).

H1108-0106



B)

For the General Association (Gesamtverband) of German employees of the DAF.

It is above all the Catholic party leaders whom the Trade Unions have taken over who should be removed from the associations, those men who, it has been ascertained, are maintaining their connections with political Catholicism just as they always have. They are dangerous because they simulate submission and cheerful cooperation while in reality they wantonly hold up our work of reconstruction and make no secret of it among themselves. For example, here is one of many reports from our intelligence service:

"On Sunday, 23 April, at 11 A.M. in the Vincent-house at Breslau a meeting on the Christian trade unions was held to which all the representatives of the authorities were invited. The report was given by the Chief Editor of the "Deutsche", Wiedfeld of Berlin. The meeting came to an end about 1-0 p. m. and closed with the National Anthem. In the afternoon the delegates from the province assembled to discuss the report in the absence of the representatives of the various authorities. No comment was permitted on Herr Wiedfeld's report in the morning, in order to appear in a good light in the eyes of the representatives of the authorities, and this was expressly stated by the chairman of the afternoon meeting. The lively discussion showed immediately the methods followed and the goal aimed at by the Christian Trades Union. Violent attacks were launched against the present Reich Cabinet (Reichsregierung). A representative of the Christian Trades Union attacked the Reich Chancellor, asserting that Adolf Hitler would never allow the leaders of the Christian Trades Unions to voice their opinions.

Then they spoke of the National Socialist Works Organisation and pulled it to pieces. Citing a number of examples they went on to make further attacks on the Reich Cabinet and the National Socialist Works Organisation. First the Government was attacked; they said, for instance, that cars were left free of tax, while a great tax was levied on margarine and thus the standard of living of the poor was lowered. There had never been so much holiday work in upper Silesia as under the present Government. They declared that the NSDAP will have the surprise of its life in Autumn, when the people will have nothing to eat, they will then take to open fighting and destroy National Socialism in the same way as the Socialist Party has been destroyed today. We dealt with 1918 (i.e. Christian trades union) and will deal with the Nazis too. One must be on one's guard against Minister Goering, for this fellow is heading straight for Dictatorship. It is important to keep a good watch on the National Socialist Works Organisation, inform the people of every mistake and explain to the people that the Nazis are completely unable to carry out what they say."

This "Christian" sabotage applies of course also to the Workers' Associations.

C)

For the branches (Ghederungen) of the National Socialist Works Organisations

1) The National Socialist Works Organisation is above all the security organ of the entire German Labour Front, i.e. it has to protect day and night the great work of our slowly progressing unification of all German workers and prevent any kind of sabotage. This is carried out in two ways:

H1108-0107



a) Through the already appointed National Socialist Works Organisation officials (Amtswalter) in the associations themselves and

b) By keeping a watch on factories, houses and public places which appear suspicious to us, by means of NS W.O. patrols drawn from the "Gau" and District (Kreis) factory cell-divisions (Betriebszellenabteilung) and the local group factory wardens (Ortsgruppenbletriebswarte) (Detailed instructions will be issued later to the Gau factory cell divisions - (Gaubetriebszellen-Abteilung) direct.)

2. However, the branches of the National Socialist Works Organisation must themselves be subjected to a thorough purge of members because their rapid growth has brought us many unreliable elements.

It is only the man who pledges his life-time unreservedly, unselfishly, and devotedly to the fight for the rise of German labour (brain and manual workers), and thus for the whole people, who should be a member of the National Socialist Works Organization. But any man who has joined the National Socialist Works Organisation on the chance of amassing wealth, or has regarded his membership as a safeguard against losing his job, etc., in short, any man who has joined this fighting body (Kampftruppe) for material reasons, must leave it. The man who was a Marxist only yesterday and fought openly against us, but today will have nothing more to do with it, must also leave. These are nothing but dangerous disruptive elements (Spaltpilze) who poison morale when it comes to tests of endurance.

It would be a definite benefit for the National Socialist Works Organisation if quite 100,000 of our most recent members leave our ranks. The Gau factory cell leaders (Gau-Betriebszellenleiter) must therefore issue orders to this effect.

3) Herewith an order is issued effective until further notice, prohibiting National Socialist Works Organisation officials (Amtswalter) and/or ordinary members beyond the N.S.W.O. membership number 450,000, from holding any positions whatever in the associations of the German Labour Front. The new members do not yet possess that degree of suitability for leadership which we must demand for the great tasks which have to be accomplished in these associations.

Care has been taken that those "freshmen" who are not needed as officials (Amtswalter) in the National Socialist Works Organisation or in the associations, are thoroughly familiarized by rapid courses with National socialist ideas, so that they can then be employed.

4) All positions on factory and employee counselors councils in Germany must be filled by National Socialists. There must no longer be any factory in which Marxists or "Christians" hold the leading positions. Orders should therefore be given immediately that Communist and Catholic factory or employee councils who are still holding office should be dismissed. To prevent this being carried out in a wild and undisciplined manner, it is laid down that the responsible Regional (Bezirks) leader of the German Labour Front, in conjunction with the Gau Director of factory cells (Gau-Betriebszellen-Leiter) should from time to time, decide on the necessary orders (in agreement with the Regional (Bezirks) leader of German industry).

H1108-0108

TRANSLATION OF DOCUMENT NO. 2336-PS
OFFICE OF U.S. CHIEF OF COUNSEL

The above schemes (Äusfuhrungen) and orders are to be put into effect immediately with proven National Socialist thoroughness. No pardon to the enemy but stake all for the victory of the National Socialistic revolution.

Signed MUCHOW
Director of the Office of the Organisation of the German Labour Front and Deputy Director of the National Socialist Works Organisation of the Political Organization of the N.S.D.A.P.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2336-PS

17 November 1945.

I. BETTY D. RICHARDSON, P.O., W.R.N.S., 66370, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2336-PS.

BETTY D. RICHARDSON,
P.O.,W.R.N.S., 66370.

TRANSLATION OF DOCUMENT 2411-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Page 555, Statistical Yearbook for the German Reich, 1932 (Statistisches Jahrbuch Fuer Das Deutsche Reich, 1932), Chapter XXI, Vocational Representation (Berufsvertretungen).

2. Unions of Workers and Employees (Arbeiter- und Angestelltenverbaende
General Survey of the Unions of Workers and Employees, End of 1931.

| Union Groups | Members Of The Workers Unions | | | Employees Union | | | Together | | |
|---|---|---|---|---|---|---|---|---|---|
| | Total | Of These Female | Percentage of total | Total | Of these Female | Percentage of total | Total | Of these Female | Percentage of Total |
| Free Trade Unions (Freigewerkschaftliche) | 1)4,104,285 | 2)570,591 | 79,0 | 465,591 | 109,331 | 26,8 | 4,569,876 | 679,922 | 65.9 |
| Christian-Nationals | 3) 689,472 | 94,402 | 13,2 | 593,800 | 93,432 | 34,1 | 1,283,272 | 187,834 | 18.5 |
| Liberal-Nationals | 181,100 | 10,575 | 3,5 | 392,850 | 117,060 | 22,6 | 573,950 | 127,635 | 8,3 |
| Communist, syndicalist and other revolutionary workers unions | 35,774 | 2,979 | 0,7 | --- | --- | --- | 35,774 | 2,979 | 0.5 |
| Industrial Peace (Wirtschaftsfriedliche) | 123,083 | . | 2.4 | . | - | . | 123,083 | . | 1,8 |
| Independent Unions | 62,034 | 50,585 | 1,2 | 286,530 | 66,472 | 16,5 | 348,564 | 117,057 | 5,0 |
| Total | 5,195,748 | 729,132 | 100.0 | 1,738,771 | 386,295 | 100.0 | 6,934,519 | 1,115,427 | 100.0 |
| Percentage of Female Members | | 14.0 | | | 22,2 | | | 16,1 | |
| Percentage of Total | | | 74,9 | | | 25,1 | | | 100,0 |

1) 15,617 Musicians and 15,000 employees included in the employees. 2) As note 1 = 245 musicians. 3) As note 1 = 9000 private railroad employees (Eisenbahner)

H1080-109

TRANSLATION OF DOCUMENT 2411-PS
OFFICE OF U.S. CHIEF OF COUNSEL

- - - - - - - - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION OF DOC.-2411-PS

- - - - - - - - - - - - - - - - - - - - - - - - -

6 Nov. 194)

I, FRED NIEBERGALL, 2nd lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document 2411-PS

FRED NIEBERGALL
2nd lt. Inf
0-1335567

TRANSLATION OF DOCUMENT NO. 2895-PS
OFFICE OF U.S. CHIEF OF COUNSEL

H1108-0111

AFFIDAVIT

We, the undersigned, in our capacity as former leading functionaries of the General German Trade Union Association (ALLGEMEINER DEUTSCHER GEWERKSCHAFTSBUND) (until 2 May 1933), being duly sworn, do hereby declare as follows:

1. On 2 May 1933 Nazi Party agents, with the assistance of the S.A., occupied all the offices of the control office and branches of the "Bank of the Workers, Employees and Officials" (Bank der Arbeiter, Angestellstellten und Beamten) throughout Germany.

2. The shares of the aforementioned bank were entirely in the hands of the General German Trade Union Association (Allgemeiner Deutscher Gewerkschaftsbund) and of its affiliated trade unions (angeschlossenen Gewerkschaften). The individual members of the trade unions had their accounts with this bank as well as many individual members of the cooperatives (Genossenschaften); and private individuals outside the trade unions were also depositors of the bank,

3. The overwhelming majority of the assets (Guthaben) of the General German Trade Union Association (Allgemeiner Deutscher Gewerkschaftsbund) and of its affiliated trade unions were deposited with the "Bank of the Workers, Employees and Officials" ("Bank der Arbeiter, Angestellten und Beamten").

The above assurance by oath was given by us, the undersigned, on 13 November 1945 at Nurnberg, in the Justice Building before Captain D.A. Sprecher, AUS.

(Signed) Joseph Simon
Joseph Simon, in 1933 President of the National Association of the Shoemakers of Germany, affiliate of the General German Trade Union Association, (Zentralverband der Schuhmacher Deutschlands, angeschlossen dem Allgemeinen Deutschen Gewerkschaftsbund).

(Signed) Lorenz Hagen
Lorenz Hagen, in 1933 President of the ADGB Local Committee, Nurnberg.

H1108-0112

TRANSLATION OF DOCUMENT NO. 2895-PS
OFFICE OF U.S. CHIEF OF COUNSEL

(signed) Mathias Lex
Mathias Lex, in 1933 Deputy Pres. National Union of the Shoemakers of Germany, affiliate of the General German Trade Union (stellv. Pres. d. Zentralverbands der Schuhmacher Deutschlands, angeschlossen dem ADGB).

SWORN TO BEFORE ME, this 13th day of November 1945 in the Justice Building in Nurnberg, Germany.

(signed) D.A. Sprecher
D.A. Sprecher 02055516
Captain, Army of the United States

CERTIFICATE OF TRANSLATION OF DOCUMENT NO. 2895-PS

I, ERNST M. COHN, Pfc. 33925738, hereby certify that I am thoroughly conversant with the English and German Languages; and that the above is a true and correct translation of Document 2895-PS.

ERNST M. COHN,
Pfc. 33925738

TRANSLATION OF DOCUMENT 2928-PS
OFFICE OF U S CHIEF OF COUNSEL

# AFFIDAVIT

1. My name is Mathias Lex, born on 28 of December 1874 in Bergham, Upper-Bavaria(Oberbayern). My residence is at Nuernberg, Katzwangerstrasse 62/II. From 1920 until May 1933 I was vice President of the National Union of Shoemakers (Zentralverband der Schuhmacher) affiliated with the A.D.G.B. (angeschlossen dem A.D G B.) The National Union was the parent organisation of all Shoemaker Trade Unions in the whole of Germany affiliated with the A.D.G.B. The Main Office was in Nuernberg and the office was located in the Essweinstrasse 1.

2. On 2 May 1933 I was as usual in the above mentioned office. It was about 10 a.m. when a certain Rudel in civilian clothes entered the office, accompanied by about 12 uniformed S.A. men. He informed us that he was directed to take over the National Union (Zentralverband). I then asked him whether he carried any identification. He replied this "would come immediately". Some minutes later the National Socialist Georg Pessler entered the room in the uniform of an A.A. man (Sturmabteilungsmann). He assembled all of us and informed us that the Shoemaker Union (Schuhmacherverband) was being taken over by the N.S.D.A.P. that however under no circumstances was it intended to dismiss any of the employees, but that on the contrary all of us should continue our work conscientiously. Another civilian had entered the room together with Pessler. He asked immediately for Josef Simon, the president of our organisation. I declared, that Simon was in Berlin, at a meeting of the A.D.G.B. (Allgemeiner Deutscher Gewerkschaftsbund (General German Trade Union Association). Schneider and Pessler wanted to know the address of Simon. I replied that I did not know it, because I was afraid of his being arrested. I was then informed that I would not be allowed to leave the office until I had given them the address of Josef Simon in Berlin.

During the afternoon Schneider remarked to Pessler that the son of Josef Simon was employed in the office and that his arrest in all probability would speed up the return of the father Josef Simon. When the closing hour came, all the keys, including those for the safe, were taken away from us by the Nazis and we were allowed to go home. Especially Schneider during the day had accused us of embezzlement and of the abuse of money entrusted to us, accusations which I strictly denied. From the day our offices were occupied, A Nazi guard in S.A. uniform of about 5 men was established there. On about 3 or 4 May I learned from young Simon that his father had been arrested in Berlin and was on his way to Nuernberg. Subsequently, young Simon and I went by railway to Fuerth, where we entered the Berlin-Nuernberg train, searched for Josef Simon and found him accompanied by a civil servant (Zivilbeamten). We remained together in a compartment until Nuernberg. Simon was taken away immediately from the station at Nuernberg and was not permitted thereafter to return to his office.

3. From 2 May 1933 onwards until about 11 May I was forced to work in my office under Nazi supervision. During that time Pessler conferred the supervision of the offices to Rudel and to a newly arrived Nazi-functionary, Heid. Around the 2 or 3 May the Nazis also took into custody (Schutzhaft) the editor of our union organ (Verbandsorgan) "The Shoemaker" (Der Schuhmacher"). His name was Otto Trefflich. Another member of our office staff, Hermann Mueller, was arrested about the same time. He was employed as a statistician by our trade union. In addition, however, he was Sport-Director (Sportwart") within the Workers Sport movement and I believe that he was arrested on account of that activity, as his position as statistician was not a leading one. He was also arrested on account of the fact that he was a very active member of the "Reichsbanner".

4. In Pirmasens, Palatinate, a payment-collection branch office of our union was established. In that office about the 8 or 9 May, the manager Adolf Ludwig and the cashier Dinges had been arrested. Upon my suggestion, Rudel agreed to go to Pirmasens in order to hear more details about the reason for the arrests. We arrived at Pirmasens about 11 May in the evening. A Nazi named Schmitz had taken over the management of the payment-collection office in Pirmasens. When we entered the office a certain Fink was also present. He was a leading Nazi in Pirmasens, in Nazi uniform.

Both repeated the accusations against the arrested manager and cashier of our branch office: embezzlement, theft and personal enrichment, illegal transfer of money belonging to the trade unions to the cooperatives (Genossenschaften). On 12 May we had a detailed discussion concerning the guilt of the accused men and I defended them. At about noon Fink, Schmitz and Rudel left the room. Both arrested men, Ludwig and Dinges, who had been brought into the room upon my request and myself were left in the room under the guard of an S.A. man. After about 10 minutes a policeman entered the room and brought me into the district-court prison (Amtsgerichtsgefaengnis).

I was retained there in custody until the 28 May. Afterwards, I protested in writing to the Nazi leaders of Pirmasens against my arrest, but I never received an answer. On 28 May Fink and two civilians arrived and informed me that they would send me back to Nuernberg. I asked them whether I would again be taken again into custody there. One of them said I would. I replied that in that case I might just as well stay in Pirmasens. Subsequently both Ludwig and Dinges, who had been called in before, and I were released after a few minutes.

5. When I showed up on Monday at my office for work, Rudel informed me that I was dismissed. I protested against an immediate dismissal on the ground of my rights against dismissal (Kuendigungsschutz) and Rudel rejected that flatly.

6. I reported three times weekly at the Labour Office ("Arbeitsamt) unil the 26 September 1934, but had no success. I had also offered my services for factory work with the same negative result.

7. In September 1933 I secretly undertook a trip to Brussels in order to participate in the International Congress of Shoe and Leather Industry Workers (Internationaler Kongress der Schuh-und Leder-Industrie-Arbeiter"). My trip to Brussels was financed partly by my own means, partly with the help of my German collegues. I returned to Nuernberg without the Nazis being aware of my journey.

8. From the end of 1933 until September 1934 I irregularly received money from friends of our union. I was in a certain way the trustee for the distribution of that money to needy members of our movement, who as victims of the Nazis had become unemployed. In September 1934 a house-search took place in Pirmasens at the house of a certain Robert Breyer and a money order hidden in a sugar bowl was found. This money order had been addressed to me at my Nuernberg address. Based on that lead, the Gestapo discovered my distributing activities (Verteilertaetigkeit). On 25 September 1934 a search took place in my house by the Gestapo-man Osterhuber, accompanied by a policeman, but it was fruitless. These men ordered me to come to the Gestapo the following morning. After a four-hour cross-examination I was put into prison. I was retained in prison in Nurenberg for seven and a half months. During my custody in Nuernberg the Gestapo-man Osterhuber handed me a "Protective Custody Order" (Schutzhaftbefehl") dated 8 October 1934. This order was handed over by me to the American authorities here in Nuernberg on 13 November 1945.

9. On 11 May 1935 I was taken to Dachau. I was detained there until 23 December 1938. During these 44 months of my stay in Dachau, I saw and spoke now and again to the following persons likewise confined at the Dachau concentration camp (Dachauer Konzentrationslager), After each name I have added the person's political or other ties, also the home town or else the place where the person worked, as far as I still remember:

1. Karl PROELLS, Union man, Social Democratic Party of Germany (Sozialdemokratische Partei Deutschlands S.P.D.) Nuernberg

2. REIBENWEIN, Union man and S.P.D., Nuernberg

3. Johann DILLINGER, Union man and S.P.D., Nuernberg

4. Johann SPERBER, Union man and S.P.D., Nuernberg

5. EDELMANN, S.P.D.

6. BEHMER, Union man and S.P.D., Nuernberg

7. BUCHMANN, Union man and K.P.D. (Kommunistische Partei Deutschlands) (Communist Party of Germany).

8. HUEBNER, Union man and S.P.D., Nuernberg

9. UEBLER, Union man and S.P.D., Nuernberg

10. Max HOHLE, Union man and K.P.D., Muenchen

11. Leonhard PETER, Union man, Munich

12. BALSHAEUSER, Union man, Nuernberg

13. STAHLHUBER, Union man, Eichstaedt

14. HAUPTREIF, Union man, Pirmasens

15. WEISSPFLOCK, Union man, Munich

16. Hans GOLLWITZER, Union man, Nabburg

H1108-0114

17. Julius LOSSMANN, Union man and S.P.D., Nuernberg

18. Kurt SCHUHMACHER, S.P.D.Hanover and Member of the Reichstag.

19. Anton MUELLER, S.P.D., Nuernberg

20. Heinrich JASPER,Dr., S.P.D.Prime Minister of Braunschweig, Braunschweig

21. PUCHTA, S.P.D., Member of the Reichstaf, Bayreuth

22. ALEXANDER, Leading Police Official in Vienna, when the Labor party was in power there.

23. UNTERLEITNER, S.P.D., Member of the Reichstag (Mitglied des Reichstages), Munich

24. Ferdinand ABE,K.P.D., Munich

25. HUMMEL, S.P.D., Hessen (Hessea)

26. FELINER, S.P.D. or K.P.D., Straubing. Lower Bavaria

27. HAAG, K.P.D., Gmuend, State Deputy of Wuertemberg (Wuerttembergischer Landtagsabgeordneter)

28. Archduke (ERZHERZOG) FERDINAND VON LOTHRINGEN FROM THE DYNASTY OF TOSCANA (aus dem Hause Toskana) (seen, but not spoken to)

29. TWO PRINCES HOHENBERG, (Zwei Fuersten Hohenberg) sons of the deceased Crown Prince of Austria, Archduke Franz Ferdinand.

30. SCHMUCKER, Russian-Orthodox Bishop

31. STEINBRECHER, S.P.D. Minister of the Interior of Braunschweig

32. The Reverend SPANNlanc, Linz, Catholic priest

33. TRIPULA, Shoemaker, Neustadt/Aisch

H1108-0115

When I came the first time to Dachau, I estimated that there were 2-3000 people confined in the camp. Of these about 50% at least were political prisoners. During my arrest in Dachau, I have spoken to additional other political prisoners, but I do not remember their names now. During my stay in Dachau, I noticed an increasing number of prisoners. Shortly before the Olympic Games took place in Berlin in 1936, my friends to whom I was talking and I noticed a sudden increase of prisoners to Dachau, which I estimate at about 2-3000 people. It was clear to us who discussed it that the most of them were beggars, peddlers and cripples because many of them looked shabby and were partly tattered and torn. We described many of them as "Peddlers" (Hausierer") and "Tramps" ("Handwerksburschen"). After the end of the Olympic Games, these people were gradually released. The next big transport appeared after the invasion of Austria and consisted of "Non Reich-Germans" (Nicht-Reichsdeutschen"), but only of Austrians. I estimate that the minimum figure was about 2500 people and that all these people came in within about 2 weeks. The next big transport, which I estimate at about 1000 people, was brought in about October 1938, immediately after the invasion of the Sudetenland. I spoke to some of these people, many of whom told me that they did not know at all why they had been arrested except that they were suspected of being Non-Nazis or Anti-Nazis. When I was released from Dachau in December 1938, about 20,000 people were held as prisoners there. At all times, however, where I was in Dachau, I estimate the percentage of the political prisoners to have been at least 50%. I include in the Political prisoners the "Bible-researchers" ("Bibelforscher") whose number I estimate at over 150. When I left the concentration camp there must have been over 150 gypsies there. After we had read in the newspapers of the murder of vom Rath, it was clear to us that the increased incoming of Jews was caused by it. I estimate the number of so-called "Anti-Socials" (A-Sozialen") in the camp at about 500 men, including the drunkards etc. In the group of political prisoners, estimated by me, I have not included the so-called "A-Socials" (A-Socialen) elements, the gypsies, nor the Jews, drunkards, the shiftless (Arbeitsscheuen), Homosexuals, those who had escaped labor assigned to them, nor the criminals. The following groups were kept

entirely isolated: The members of the so-called "Punishment-Companies" (Strafkompagnien"), who were in a concentration camp for a second time and after about 1937 also the "Bibelforscher". Members of the "Punishment-Companies" (Strafkompagnien") were such prisoners, who had committed disciplinary or slight offences against the Camp Regulations ("Lager Ordnung"). The following groups lived separately but could mix with the other groups during the day, either while working or while strolling through the camp: Political prisoners, Jews, "Anti-Socials" (A-Sozialen"), gypsies, Felons, Homosexuals, and before 1937 also the Bible-Researchers" (Bibelforscher").

10. Until April or May 1936 the commandant of the camp was the S.S. Brigadier (Oberfuehrer) DEIWEL, who was later on succeeded by the "S.S. Colonel (Standartenfuehrer) BARANOWSKI and "S.S. Major (Sturmbannfuehrer") KRUEGEL. Attached to the commandant of the camp was the "S.S. Standartenfuehrer" VANSELOR, who was in charge of legal matters as interrogation of prisoners, who also interrogated me once. After LORITZ had commenced duty, the treatment became considerably worse. The following S.S. men (S.S.Leute"), holding the rank of "Scharfuehrer" were each in charge of a company of prisoners: ROTH, DAMMBACH, SPATZENBECKER, WAGNER, KAISER, ZIMMERMANN, SCHWARZHUBER, DALARMI, SEISS, AND LUEDGEMEYER, and many others.

11. After I had been brought to Dachau, I was subjected to numerous humiliations, annoyances, insults and ill treatments. We had to make our beds again and again under wuite frivolous pretexts, we were not even allowed to have finger prints on our cupboards, but were forced immediately to rub them off. While washing our dishes we were not allowed to spill water. In winter we must assemble without overcoats. We were not allowed to wear scarves. We would have been beaten. If one of us laughed, we all had to undergo punishment drill. Once we had punishment drill for half an hour because in the opinion of the SS man in charge we had not sung nicely enough. Frequently for no reason we had to stand at attention for as long as an hour, BENDING OUR knees or skipping. Frequently we were ordered for general cleaning. We had to take all our belongings into the open. This was ordered with pleasure on holidays. The S.S. "Scharfuehrer" SEISS had a whistle. When he whistled once, everybody had to leave the barracks at once. Frequently this was done 4-6 times in succession. The last, who did not return to the barracks quickly enough, was kicked. This made everyone afraid and they jostled each other. When once during an alarm I returned too late to my barracks, LUEDGEMEYER called me miserable rascal (Elenden Lumpen) and kicked me and thumped me in the face with his fist. Once when I entered the working room, and did not immediately take off my cap, the civilian HINTERMANN, (a camp employee) beat my face with his fist. DAMBACH beat me on my head with his fist because I had forgotten to deliver my watch when I was brought into the camp. A guard asked me, while I was carrying 2 planks, four meters long, to run with them. I was not able to do that. He kicked me and I fell to the floor with the planks. Another time an SS man called me names and for no reason at all made me do knee-bending until I was exhausted. On New Year's Day, 1937 we had to run continuously for 3 hours in the morning and for 3 hours in the afternoon. Another time we were made to run with our arms raised and dance at the same time. This lasted about half an hour. At the usual roll call in the evening, we often had to stand for more than 3 hours in the bitterest cold. Once when the company assembled too late, SPATZENECKER deprived us of coffee. These are only a few examples of the treatment to which we were constantly exposed. When I arrived at Dachau, I was 60 years old. When I left Dachau, I had, during those 44 months, lost 30 lbs. in weight. I blame this loss of weight on the defective nutrition which gradually got worse and worse after LORITZ had taken over.

12. Many Anti-Nazi political figures, who had held high positions before the Nazi seizure of power, were as a rule treated much worse than the average political prisoners. As an example I name: STEINBRECHER, JASPER, and, as an example of harsh treatment of other than leading personalities, I name BUCHMANN, STEINBRECHER, as former Minister of the Interior of Braunschweig, was mostly forced to do very hard work. JASPER was ridiculed and forced to work very hard. Once he was forced to wallow in dirt and another time was ordered to run around a tree about 100 times until he fainted. BUCHMANN, as another example, a Communist, was inhumanly punished for suspected assistance in escape. He was made to jump into a canal, to dive, kneel, and was repeatedly threatened with a pistol in order to force a confession from him. FELLNER, an ordinary worker, had to stay without any reason for 80 days in the bunker. The smallest violation against the rights of property (Eigentumsrechte) was most severely punished. For example a prisoner named HAEUSLER, for the suspected theft of a pair of light shoes, received 36 lashings (Stockhiebe) (the so-called "Schlageter celebration" ("Schlageter-Feier") in the presence of the whole camp. We were ordered to assemble. He was fixed on the box (Bock) with his hands and legs strapped on to the box. Then he received from two S.S. Men the 36 lashes. They were given with

H1108-0116

ox-hide ships (oxenziemern) which were held in both hands of each SS man. A doctor was in attendance. In my opinion this was only a matter of form. On 22 March 1937, I again witnessed this type of punishment. Again everybody had to assemble. Camp commandant LORITZ was present. He threatened us and ordered that the men should be lashed slowly. There were 2 prisoners and each of them received 25 lashes. On the same day and at the same time I also witnessed another punishment: 10 prisoners, whose offenses were unknown to me, were hanged on trees. This was done in such a way that both hands were tied together behind their backs. They were hung on to the trees by their hands. This lasted for an hour. This kind of punishment took place weekly. I know that from those who suffered from it. One was named BIEDERER. From my own company a man named WAGNER experienced it. Another was named DIROLF. On 22 March 1937 while we were standing at attention to witness the beating, one of our men had wiped his nose. LORITZ noticed that. The man was brought out and also hanged on the tree. Many whippings took place without witnesses. I saw the preparations, especially the victims before the whipping. DEGENFELD, MOECKE, SOCK and HOFMAN from my company have told me that they were whipped without witnesses. I also know of many other persons who received non-public whippings, but I no longer remember the names. I witnessed four whippings before the assembled camp-inmates. Besides that I also know of three Austrians having been whipped. In that case only Austrian prisoners were allowed to be present. I know this because we were forbidden to leave the barracks during the punishment. At other times we were allowed to stroll around freely. On the occasion of this whipping, a Political Prisoner, TRIPULA, went as a spectator against orders, and, being discovered, he also received 10 lashes. He, himself, later told me.

13. Around April 1936 the order was issued to isolate the prisoners who were in protective custody for a second time. We were placed in a special barracks, altogether about 250 men. In contrast to the ordinary prisoners we were neither allowed to smoke, nor to have newspapers, nor to play any games. Instead of 8 hours we were now forced to work 10 hours, were only admitted for meals as the last group, were not allowed to write home nor to receive any mail. We were used for particularly heavy work. Also in our working place (Werkstatt), we had to work entirely separately. Our barracks was completely shut in by wire netting. The windows looking on to the camp-street were covered by screens, thus making it impossible for anybody to look at us. We also could not get in touch with the outside because the window was covered and because the barrack doors only led to the place situated between both barracks. We were released from this special custody (Sonderhaft) after about 8 weeks. Only those, however, who were in protective custody for a second time were released, not those who were in a concentration camp for a second time. They remained in the special custody as before and continued to be subject to the above mentioned restrictions.

14. On 23 December 1938 I was released from Dachau. On 24 December 1938 I had to report to the Gestapo at Nuernberg. There the signing of a "Declaration" was demanded of me. This declaration is exactly the same as that signed by Josef Simon fefore the Bavarian Political Police on 20 December 1935 (Note: See Document 2331-PS) with the exception that I had to report only every third working day instead of every second day, and that there was no fixed hour prescribed for me to report. In this "Declaration" signed by me, I was described as "Union official" (Verbandsbeamter). When I was released from Dachau, we were told by a high-ranking S.S. man while assembled, that for the slightest offence we would be sent again to Dachau. He added that in such a case we would in all probability never get out of Dachau. We were told not to talk about Dachau at all, neither in a good nor in a bad way, not even to members of our families. In such a case we would likewise be brought back to Dachau.

15. After returning from Dachau, I now received the normal unemployment compensation. I reported regularly with the Labor Office (Arbeitsamt), but I was unable to get a job.

16. On 22 August 1944 at 5 a.m. I was arrested in my apartment by two criminal police men and taken away. At the police station I met 20 other persons who like me had been arrested the same day. Among them was Lorenz HAGEN, former President of the A.D.G.B., Nuernberg Local Committee. At noon all of us were transported by railway to Dachau. On 5 September 1944 I was again released with some of the people arrested on 22 August. During that period we were kept isolated, had no shoes or hats and received filthy clothes. This time none of us had to do any work. After my release I remained unemployed at Nuernberg until the end of the war.

17. I then resumed my relations with the union and with the party. Due to my age, however, I am no longer active.

H1108-0117

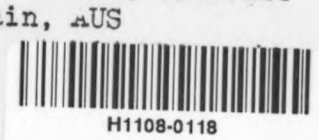
TRANSLATION OF DOCUMENT 2928-PS
OFFICE OF U S CHIEF OF COUNSEL

I have read each page of the above statement and signed it. I assure hereby by oath that it is true.

(Signed) Mathias Lex
Mathias Lex

SWORN TO BEFORE ME ON THIS 16th DAY OF NOVEMBER, 1945 at the Justice Building, Nuernberg, Germany

(Signed) D.A.SPRECHER
D.A.SPRECHER, 02055516
Captain, AUS




17 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2928-PS

I, Enid M. Standring, P.O., 52012, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2928-PS

Enid M. Standring
P.O., 52012

TRANSLATION OF DOCUMENT 2928-PS
OFFICE OF U S CHIEF OF COUNSEL

# AFFIDAVIT

1. My name is Mathias Lex, born on 28 of December 1874 in Bergham, Upper-Bavaria(Oberbayern). My residence is at Nuernberg, Katzwangerstrasse 62/II. From 1920 until May 1933 I was vice President of the National Union of Shoemakers (Zentralverband der Schuhmacher) affiliated with the A.D.G.B. (angeschlossen dem A.D G B.) The National Union was the parent organisation of all Shoemaker Trade Unions in the whole of Germany affiliated with the A.D.G.B. The Main Office was in Nuernberg and the office was located in the Essweinstrasse 1.

2. On 2 May 1933 I was as usual in the above mentioned office. It was about 10 a.m. when a certain Rudel in civilian clothes entered the office, accompanied by about 12 uniformed S.A. men. He informed us that he was directed to take over the National Union (Zentralverband). I then asked him whether he carried any identification. He replied this "would come immediately". Some minutes later the National Socialist Georg Pessler entered the room in the uniform of an A.A. man (Sturmabteilungsmann). He assembled all of us and informed us that the Shoemaker Union (Schuhmacherverband) was being taken over by the N.S.D.A.P. that however under no circumstances was it intended to dismiss any of the employees, but that on the contrary all of us should continue our work conscientiously. Another civilian had entered the room together with Pessler. He asked immediately for Josef Simon, the president of our organisation. I declared, that Simon was in Berlin, at a meeting of the A.D.G.B. (Allgemeiner Deutscher Gewerkschaftsbund (General German Trade Union Association). Schneider and Pessler wanted to know the address of Simon. I replied that I did not know it, because I was afraid of his being arrested. I was then informed that I would not be allowed to leave the office until I had given them the address of Josef Simon in Berlin.

During the afternoon Schneider remarked to Pessler that the son of Josef Simon was employed in the office and that his arrest in all probability would speed up the return of the father Josef Simon. When the closing hour came, all the keys, including those for the safe, were taken away from us by the Nazis and we were allowed to go home. Especially Schneider during the day had accused us of embezzlement and of the abuse of money entrusted to us, accusations which I strictly denied. From the day our offices were occupied, A Nazi guard in S.A. uniform of about 5 men was established there. On about 3 or 4 May I learned from young Simon that his father had been arrested in Berlin and was on his way to Nuernberg. Subsequently, young Simon and I went by railway to Fuerth, where we entered the Berlin-Nuernberg train, searched for Josef Simon and found him accompanied by a civil servant (Zivilbeamten). We remained together in a compartment until Nuernberg. Simon was taken away immediately from the station at Nuernberg and was not permitted thereafter to return to his office.

3. From 2 May 1933 onwards until about 11 May I was forced to work in my office under Nazi supervision. During that time Pessler conferred the supervision of the offices to Rudel and to a newly arrived Nazi-functionary, Heid. Around the 2 or 3 May the Nazis also took into custody (Schutzhaft) the editor of our union organ (Verbandsorgan) "The Shoemaker" (Der Schuhmacher"). His name was Otto Trefflich. Another member of our office staff, Hermann Mueller, was arrested about the same time. He was employed as a statistician by our trade union. In addition, however, he was Sport-Director (Sportwart") within the Workers Sport movement and I believe that he was arrested on account of that activity, as his position as statistician was not a leading one. He was also arrested on account of the fact that he was a very active member of the "Reichsbanner".

4. In Pirmasens, Palatinate, a payment-collection branch office of our union was established. In that office about the 8 or 9 May, the manager Adolf Ludwig and the cashier Dinges had been arrested. Upon my suggestion, Rudel agreed to go to Pirmasens in order to hear more details about the reason for the arrests. We arrived at Pirmasens about 11 May in the evening. A Nazi named Schmitz had taken over the management of the payment-collection office in Pirmasens. When we entered the office a certain Fink was also present. He was a leading Nazi in Pirmasens, in Nazi uniform.

Both repeated the accusations against the arrested manager and cashier of our branch office: embezzlement, theft and personal enrichment, illegal transfer of money belonging to the trade unions to the cooperatives (Genossenschaften). On 12 May we had a detailed discussion concerning the guilt of the accused men and I defended them. At about noon Fink, Schmitz and Rudel left the room. Both arrested men, Ludwig and Dinges, who had been brought into the room upon my request and myself were left in the room under the guard of an S.A. man. After about 10 minutes a policeman entered the room and brought me into the district-court prison (Amtsgerichtsgefaengnis).

H1108-0119

I was retained there in custody until the 28 May. Afterwards, I protested in writing to the Nazi leaders of Pirmasens against my arrest, but I never received an answer. On 28 May Fink and two civilians arrived and informed me that they would send me back to Nuernberg. I asked them whether I would again be taken again into custody there. One of them said I would. I replied that in that case I might just as well stay in Pirmasens. Subsequently both Ludwig and Dinges, who had been called in before, and I were released after a few minutes.

5. When I showed up on Monday at my office for work, Rudel informed me that I was dismissed. I protested against an immediate dismissal on the ground of my rights against dismissal (Kuendigungsschutz) and Rudel rejected that flatly.

6. I reported three times weekly at the Labour Office ("Arbeitsamt) unil the 26 September 1934, but had no success. I had also offered my services for factory work with the same negative result.

7. In September 1933 I secretly undertook a trip to Brussels in order to participate in the International Congress of Shoe and Leather Industry Workers (Internationaler Kongress der Schuh-und Leder-Industrie-Arbeiter"). My trip to Brussels was financed partly by my own means, partly with the help of my German collegues. I returned to Nuernberg without the Nazis being aware of my journey.

8. From the end of 1933 until September 1934 I irregularly received money from friends of our union. I was in a certain way the trustee for the distribution of that money to needy members of our movement, who as victims of the Nazis had become unemployed. In September 1934 a house-search took place in Pirmasens at the house of a certain Robert Breyer and a money order hidden in a sugar bowl was found. This money order had been addressed to me at my Nuernberg address. Based on that lead, the Gestapo discovered my distributing activities (Verteilertaetigkeit). On 25 September 1934 a search took place in my house by the Gestapo-man Osterhuber, accompanied by a policeman, but it was fruitless. These men ordered me to come to the Gestapo the following morning. After a four-hour cross-examination I was put into prison. I was retained in prison in Nurenberg for seven and a half months. During my custody in Nuernberg the Gestapo-man Osterhuber handed me a "Protective Custody Order" (Schutzhaftbefehl") dated 8 October 1934. This order was handed over by me to the American authorities here in Nuernberg on 13 November 1945.

9. On 11 May 1935 I was taken to Dachau. I was detained there until 23 December 1938. During these 44 months of my stay in Dachau, I saw and spoke now and again to the following persons likewise confined at the Dachau concentration camp (Dachauer Konzentrationslager). After each name I have added the person's political or other ties, also the home town or else the place where the person worked, as far as I still remember:

1. Karl PROELLS, Union man, Social Democratic Party of Germany (Sozialdemokratische Partei Deutschlands S.P.D.) Nuernberg

2. REIBENWEIN, Union man and S.P.D., Nuernberg

3. Johann DILLINGER, Union man and S.P.D., Nuernberg

4. Johann SPERBER, Union man and S.P.D., Nuernberg

5. EDELMANN, S.P.D.

6. BEHMER, Union man and S.P.D., Nuernberg

7. BUCHMANN, Union man and K.P.D. (Kommunistische Partei Deutschlands) (Communist Party of Germany).

8. HUEBNER, Union man and S.P.D., Nuernberg

9. UEBLER, Union man and S.P.D., Nuernberg

10. Max HOHLE, Union man and K.P.D., Muenchen

11. Leonhard PETER, Union man, Munich

12. BALSHAEUSER, Union man, Nuernberg

13. STAHLHUBER, Union man, Eichstaedt

14. HAUPTREIF, Union man, Pirmasens

15. WEISSPFLOCK, Union man, Munich

16. Hans GOLLWITZER, Union man, Nabburg

H1108-0120

17. Julius LOSSMANN, Union man and S.P.D., Nuernberg

18. Kurt SCHUHMACHER, S.P.D.Hanover and Member of the Reichstag.

19. Anton MUELLER, S.P.D., Nuernberg

20. Heinrich JASPER,Dr., S.P.D.Prime Minister of Braunschweig, Braunschweig

21. PUCHTA, S.P.D., Member of the Reichstaf, Bayreuth

22. ALEXANDER, Leading Police Official in Vienna, when the Labor party was in power there.

23. UNTERLEITNER, S.P.D., Member of the Reichstag (Mitglied des Reichstages), Munich

24. Ferdinand ABE,K.P.D., Munich

25. HUMMEL, S.P.D., Hessen (Hessea)

26. FELINER, S.P.D. or K.P.D., Straubing. Lower Bavaria

27. HAAG, K.P.D., Gmuend, State Deputy of Wuertemberg (Wuerttembergischer Landtagsabgeordneter)

28. Archduke (ERZHERZOG) FERDINAND VON LOTHRINGEN FROM THE DYNASTY OF TOSCANA (aus dem Hause Toskana) (seen, but not spoken to)

29. TWO PRINCES HOHENBERG, (Zwei Fuersten Hohenberg) sons of the deceased Crown Prince of Austria, Archduke Franz Ferdinand.

30. SCHMUCKER, Russian-Orthodox Bishop

31. STEINBRECHER, S.P.D. Minister of the Interior of Braunschweig

32. The Reverend SPANNlanc, Linz, Catholic priest

33. TRIPULA, Shoemaker, Neustadt/Aisch

When I came the first time to Dachau, I estimated that there were 2-3000 people confined in the camp. Of these about 50% at least were political prisoners. During my arrest in Dachau, I have spoken to additional other political prisoners, but I do not remember their names now. During my stay in Dachau, I noticed an increasing number of prisoners. Shortly before the Olympic Games took place in Berlin in 1936, my friends to whom I was talking and I noticed a sudden increase of prisoners to Dachau, which I estimate at about 2-3000 people. It was clear to us who discussed it that the most of them were beggars, peddlers and cripples because many of them looked shabby and were partly tattered and torn. We described many of them as "Peddlers" (Hausierer") and "Tramps" ("Handwerksburschen"). After the end of the Olympic Games, these people were gradually released. The next big transport appeared after the invasion of Austria and consisted of "Non Reich-Germans" (Nicht-Reichsdeutschen"), but only of Austrians. I estimate that the minimum figure was about 2500 people and that all these people came in within about 2 weeks. The next big transport, which I estimate at about 1000 people, was brought in about October 1938, immediately after the invasion of the Sudetenland. I spoke to some of these people, many of whom told me that they did not know at all why they had been arrested except that they were suspected of being Non-Nazis or Anti-Nazis. When I was released from Dachau in December 1938, about 20,000 people were held as prisoners there. At all times, however, where I was in Dachau, I estimate the percentage of the political prisoners to have been at least 50%. I include in the Political prisoners the "Bible-researchers" ("Bibelforscher") whose number I estimate at over 150. When I left the concentration camp there must have been over 150 gypsies there. After we had read in the newspapers of the murder of vom Rath, it was clear to us that the increased incoming of Jews was caused by it. I estimate the number of so-called "Anti-Socials" (A-Sozialen") in the camp at about 500 men, including the drunkards etc. In the group of political prisoners, estimated by me, I have not included the so-called "A-Socials" (A-Socialen) elements, the gypsies, nor the Jews, drunkards, the shiftless (Arbeitsscheuen), Homosexuals, those who had escaped labor assigned to them, nor the criminals. The following groups were kept

entirely isolated: The members of the so-called "Punishment-Companies" (Strafkompagnien"), who were in a concentration camp for a second time and after about 1937 also the "Bibelforscher". Members of the "Punishment-Companies" (Strafkompagnien") were such prisoners, who had committed disciplinary or slight offences against the Camp Regulations ("Lager Ordnung"). The following groups lived separately but could mix with the other groups during the day, either while working or while strolling through the camp: Political prisoners, Jews, "Anti-Socials" (A-Sozialen"), gypsies, Felons, Homosexuals, and before 1937 also the Bible-Researchers" (Bibelforscher").

10. Until April or May 1936 the commandant of the camp was the S.S. Brigadier (Oberfuehrer) DEIWEL, who was later on succeeded by the "S.S. Colonel (Standartenfuehrer) BARANOWSKI and "S.S. Major (Sturmbannfuehrer") KRUEGEL. Attached to the commandant of the camp was the "S.S. Standartenfuehrer" VANSELOR, who was in charge of legal matters as interrogation of prisoners, who also interrogated me once. After LORITZ had commenced duty, the treatment became considerably worse. The following S.S. men (S.S.Leute"), holding the rank of "Scharfuehrer" were each in charge of a company of prisoners: ROTH, DAMMBACH, SPATZENBECKER, WAGNER, KAISER, ZIMMERMANN, SCHWARZHUBER, DALARMI, SEISS, AND LUEDGEMEYER, and many others.

11. After I had been brought to Dachau, I was subjected to numerous humiliations, annoyances, insults and ill treatments. We had to make our beds again and again under wuite frivolous pretexts, we were not even allowed to have finger prints on our cupboards, but were forced immediately to rub them off. While washing our dishes we were not allowed to spill water. In winter we must assemble without overcoats. We were not allowed to wear scarves. We would have been beaten. If one of us laughed, we all had to undergo punishment drill. Once we had punishment drill for half an hour because in the opinion of the SS man in charge we had not sung nicely enough. Frequently for no reason we had to stand at attention for as long as an hour, BENDING OUR knees or skipping. Frequently we were ordered for general cleaning. We had to take all our belongings into the open. This was ordered with pleasure on holidays. The S.S. "Scharfuehrer" SEISS had a whistle. When he whistled once, everybody had to leave the barracks at once. Frequently this was done 4-6 times in succession. The last, who did not return to the barracks quickly enough, was kicked. This made everyone afraid and they jostled each other. When once during an alarm I returned too late to my barracks, LUEDGEMEYER called me miserable rascal (Elenden Lumpen) and kicked me and thumped me in the face with his fist. Once when I entered the working room, and did not immediately take off my cap, the civilian HINTERMANN, (a camp employee) beat my face with his fist. DAMBACH beat me on my head with his fist because I had forgotten to deliver my watch when I was brought into the camp. A guard asked me, while I was carrying 2 planks, four meters long, to run with them. I was not able to do that. He kicked me and I fell to the floor with the planks. Another time an SS man called me names and for no reason at all made me do knee-bending until I was exhausted. On New Year's Day, 1937 we had to run continuously for 3 hours in the morning and for 3 hours in the afternoon. Another time we were made to run with our arms raised and dance at the same time. This lasted about half an hour. At the usual roll call in the evening, we often had to stand for more than 3 hours in the bitterest cold. Once when the company assembled too late, SPATZENECKER deprived us of coffee. These are only a few examples of the treatment to which we were constantly exposed. When I arrived at Dachau, I was 60 years old. When I left Dachau, I had, during those 44 months, lost 30 lbs. in weight. I blame this loss of weight on the defective nutrition which gradually got worse and worse after LORITZ had taken over.

12. Many Anti-Nazi political figures, who had held high positions before the Nazi seizure of power, were as a rule treated much worse than the average political prisoners. As an example I name: STEINBRECHER, JASPER, and, as an example of harsh treatment of other than leading personalities, I name BUCHMANN, STEINBRECHER, as former Minister of the Interior of Braunschweig, was mostly forced to do very hard work. JASPER was ridiculed and forced to work very hard. Once he was forced to wallow in dirt and another time was ordered to run around a tree about 100 times until he fainted. BUCHMANN, as another example, a Communist, was inhumanly punished for suspected assistance in escape. He was made to jump into a canal, to dive, kneel, and was repeatedly threatened with a pistol in order to force a confession from him. FELLNER, an ordinary worker, had to stay without any reason for 80 days in the bunker. The smallest violation against the rights of property (Eigentumsrechte) was most severely punished. For example a prisoner named HAEUSLER, for the suspected theft of a pair of light shoes, received 36 lashings (Stockhiebe) (the so-called "Schlageter celebration" ("Schlageter-Feier") in the presence of the whole camp. We were ordered to assemble. He was fixed on the box (Bock) with his hands and legs strapped on to the box. Then he received from two S.S. Men the 36 lashes. They were given with

H1108-0122

ox-hide ships (oxenziemern) which were held in both hands of each SS man. A doctor was in attendance. In my opinion this was only a matter of form. On 22 March 1937, I again witnessed this type of punishment. Again everybody had to assemble. Camp commandant LORITZ was present. He threatened us and ordered that the men should be lashed slowly. There were 2 prisoners and each of them received 25 lashes. On the same day and at the same time I also witnessed another punishment: 10 prisoners, whose offenses were unknown to me, were hanged on trees. This was done in such a way that both hands were tied together behind their backs. They were hung on to the trees by their hands. This lasted for an hour. This kind of punishment took place weekly. I know that from those who suffered from it. One was named BIEDERER. From my own company a man named WAGNER experienced it. Another was named DIROLF. On 22 March 1937 while we were standing at attention to witness the beating, one of our men had wiped his nose. LORITZ noticed that. The man was brought out and also hanged on the tree. Many whippings took place without witnesses. I saw the preparations, especially the victims before the whipping. DEGENFELD, MOECKE, SOCK and HOFMAN from my company have told me that they were whipped without witnesses. I also know of many other persons who received non-public whippings, but I no longer remember the names. I witnessed four whippings before the assembled camp-inmates. Besides that I also know of three Austrians having been whipped. In that case only Austrian prisoners were allowed to be present. I know this because we were forbidden to leave the barracks during the punishment. At other times we were allowed to stroll around freely. On the occasion of this whipping, a Political Prisoner, TRIPULA, went as a spectator against orders, and, being discovered, he also received 10 lashes. He, himself, later told me.

13. Around April 1936 the order was issued to isolate the prisoners who were in protective custody for a second time. We were placed in a special barracks, altogether about 250 men. In contrast to the ordinary prisoners we were neither allowed to smoke, nor to have newspapers, nor to play any games. Instead of 8 hours we were now forced to work 10 hours, were only admitted for meals as the last group, were not allowed to write home nor to receive any mail. We were used for particularly heavy work. Also in our working place (Werkstatt), we had to work entirely separately. Our barracks was completely shut in by wire netting. The windows looking on to the camp-street were covered by screens, thus making it impossible for anybody to look at us. We also could not get in touch with the outside because the window was covered and because the barrack doors only led to the place situated between both barracks. We were released from this special custody (Sonderhaft) after about 8 weeks. Only those, however, who were in protective custody for a second time were released, not those who were in a concentration camp for a second time. They remained in the special custody as before and continued to be subject to the above mentioned restrictions.

14. On 23 December 1938 I was released from Dachau. On 24 December 1938 I had to report to the Gestapo at Nuernberg. There the signing of a "Declaration" was demanded of me. This declaration is exactly the same as that signed by Josef Simon fefore the Bavarian Political Police on 20 December 1935 (Note: See Document 2331-PS) with the exception that I had to report only every third working day instead of every second day, and that there was no fixed hour prescribed for me to report. In this "Declaration" signed by me, I was described as "Union official" (Verbandsbeamter). When I was released from Dachau, we were told by a high-ranking S.S. man while assembled, that for the slightest offence we would be sent again to Dachau. He added that in such a case we would in all probability never get out of Dachau. We were told not to talk about Dachau at all, neither in a good nor in a bad way, not even to members of our families. In such a case we would likewise be brought back to Dachau.

15. After returning from Dachau, I now received the normal unemployment compensation. I reported regularly with the Labor Office (Arbeitsamt), but I was unable to get a job.

16. On 22 August 1944 at 5 a.m. I was arrested in my apartment by two criminal police men and taken away. At the police station I met 20 other persons who like me had been arrested the same day. Among them was Lorenz HAGEN, former President of the A.D.G.B., Nuernberg Local Committee. At noon all of us were transported by railway to Dachau. On 5 September 1944 I was again released with some of the people arrested on 22 August. During that period we were kept isolated, had no shoes or hats and received filthy clothes. This time none of us had to do any work. After my release I remained unemployed at Nuernberg until the end of the war.

17. I then resumed my relations with the union and with the party. Due to my age, however, I am no longer active.

H1108-0123

I have read each page of the above statement and signed it. I assure hereby by oath that it is true.

(Signed) Mathias Lex
Mathias Lex

SWORN TO BEFORE ME ON THIS 16th DAY OF NOVEMBER, 1945 at the Justice Building, Nuernberg, Germany

(Signed) D.A.SPRECHER
D.A.SPRECHER, 02055516
Captain, AUS

17 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2928-PS

I, Enid M. Standring, P.O., 52012, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2928-PS

Enid M. Standring
P.O., 52012